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International Court of Justice

H2745 - 0002

FINAL STATEMENT

ON THE ORGANIZATIONS

INDICTED AS CRIMINAL

BY

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Your Lordship !

Your Honors !

We have now come to the final stage of the trial which has been carried on with exceptional care and with the greatest skill. The Prosecution has presented exhaustive proofs for the individual cases of the major war criminals now at the deck . We fully support also the charges against the criminal organizations - the Government of Fascist Germany, the General Staff and High Command of the German Armed Forces, the Leadership Corps of the German National Socialist Party, the State Secret Police (Gestapo), the Security Detachments of the German National Socialist Party (SS), Security Service (SD) and Detachments of SA.

As it has been established by the legal proceedings a gang of conspirators was at the head of Hitler's Germany, who seized the Government power and/ the Administration of all Germany.

A group of conspirators of this kind acting in a state with a population of many millions, at the centre of a huge state machinery could not exist without a whole system of subsidiary criminal organizations, connecting the conspirators with the remote districts, the leaders of the thoroughfare with the leaders of the streets and bye streets. Therefore in Hitler's Germany there was a network of organizations assigned with great power: the Leadership Corps of NSDAP, Gestapo, SS, SD etc., which functioned under the constant and direct leadership of the conspirators.

The law of 1933 according to which the machinery of the Fascist party was merged in the state machinery of Hitler's Germany, was an open legal recognition of the fact.

To strengthen the union between the governing gang and the organizations, each of the conspirators acted in several parts, representing many persons: Goering - Minister, Commander of the Air Force,

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plenipotentiary for the four year plan, Reichsleiter, supreme leader of SA and SS; Hess - Minister, Hitler's deputy for the party, General of SS and SA; Rosenberg - Reichsleader of the National Socialist party for questions of ideology and foreign policy, Minister and Obergruppenfuehrer of SA and SS etc. As Goering - Minister is inseparable from Goering - Obergruppenfuehrer of SS, so are Gestapo and the other criminal organizations not to be separat from Hitler's Germany. We may imagine Hitler's Germany without libraries, without schools, even without hospitals, but Hitler's Germany without SS and Gestapo could not exist.

Reflecting this political actuality the Charter of the International Military Tribunal provides for two kinds of participation in the criminal associations of Hitler: Art. 6 of the Charter refers to participation in the criminal conspiracy, and Art. 9-10 refers to the participation in the crimin organizations. Both of these standards are organically and indissolubly connected, for they express in legal terms the correlation and the connection which existed in real life between the conspiracy and the organizations in Hitler's Germany.

After having closely connected these two kinds of participation of the Hitlerites in the international crimes - participation in the conspiracy and participation in the organizations, the Charter of the International Militar Tribunal had established with full reason different criminal legal consequences for both kinds of participation.

Participation in the conspiracy, which by its very nature cannot inclu a very considerable number of persons, is provided for by the Charter as an independant criminal action.

On the contrary, the question of responsibility for participation in t criminal organizations, comprising hundreds of thousands if members is differently solved by the Charter. Based entirely upon the principles of law and justice the Charter of the Tribunal leaves it to the competence of the Nati Tribunals to determine the individual responsibility of the members of the organization which is connected with the examination of the criminality of a great number of individual persons.

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According to Art.10 of the Charter "if the Tribunal considers one or another organization as criminal, the national courts have a right to prosecute separate individuals for belonging to criminal organizations". Therefore the Tribunal has the right to consider an organization as criminal not for the purpose of punishing this organization as a whole or all ot its members but to enable thus the national courts to prosecute individuals for belonging to such organizations as have been declared criminal.

In accordance with the instructions of Art. 10 of the Charter the Tribunals of USSR, USA, Great Britain and France and of 18 states which joined the London Agreement, may certainly condemn, but they have the right also to come to a conclusion, that the defendant is not a member of the organization at all, or belonging to it only formally, was in fact far from it and according to such a conslusion they may acquit him. All these questions as well as questions similar to them were and remained the competence of the national courts. These courts are limited only in one respect which is on principle of profound importance: if the International Tribunal considers the organization as criminal, the National Tribunals can neither deny nor even discuss the criminal character of such an organization; here for the first time in legal history the sovereignty of individual countries is limited by the enforcing power of the verdict of the International legal authority - the Tribunal.

This mentioned delimitation of the competence of the International Tribunal and the National Courts is very essential in order to understand the regulations of the Charter of the Tribunal concerning criminal organizations.

And, indeed, just because the Tribunal will have to decide only the general question concerning the criminality of the organization and not separate questions about the individual responsibility of these organizations, the Charter does not indicate any particular criterion of the/concept "organization" and in this case it does not bind the Tribunal by any formal requirement

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The absence in the Charter of a detailed definition of a criminal organization is not, therefore, an omission in the Charter but its position on principle which follows from the above mentioned fact - consigning the elucidation of the question of facts to the agencies of National Justice. Therefore attempts to require some kind of factual signs (voluntary membership, mutual information) in order to consider the organization as criminal do not find any support in the Charter but differ from its entire structure. The main and only task presenting itself to the Tribunal is not such investigations with which national courts deal and will have to deal, but the establishing of one decisive fact: whether by its criminal criminal actions the organization participated in the realization of the plan of Hitler's conspirators.

Complying to this task the Charter established the order of the proceedings for the prosecution of organizations.

In fact the Charter of the Tribunal provides for the decision of the question concerning criminal organizations under the indispensable condition to consider the case of a real representative of this organization sitting in the dock of the defendants. The defendants at this Trial were at the same time the participants of the conspiracy and the leading members of the organization, in whose reference the Tribunal has to decide the question of considering them as criminal. Therefore, the evidence that has been used for the individual cases of the defendants, is at the same time the fundamental evidence for the organizations which they represent. The documents submitted by the Prosecution have quite clearly proved how the organizations mentioned in the Indictment served as constant and direct instruments for realizing the criminal plots of the conspirators. Thus the legal proceedings have fully and comprehensively proved the criminal character of these organizations.

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In order to secure the most comprehensive investigation of the cases of organizations the Charter of the Tribunal invited by broadcastings, through the Press and special advertisements, the members of the accused organizations to submit their explanations to the Tribunal. The Tribunal is aware of the number of persons kept in concentration camps who wished to avail themselves of this possibility. The formation of a subsidiary commission made it possible for the Tribunal to interrogate the greatest possible number of members of the organizations who are to be examined and judged later by the National Courts. Thus as a result of complicated preliminary work the group of witnesses selected by the Defence Counsel appeared before the Tribunal. Not being able to deny the irrefutable force of the documental proofs submitted by the Prosecution, the Defence Counsel decided to summon their own witnesses in contrast to them.

Your Honors, we remember these witnesses and their testimonies. If more evidence is required to prove that falsehood is a constant and invariable companion of crime with the Hitlerites, the false testimonies of Kaufmann, Sievers, Manstein, Reinecke, Besta and others may serve as convincing illustrations. These "witnesses" in their effort to whitewash the criminal organizations, of which they were the leading members, came to evident absurdity. SS and the Gestapo are found to be a society of the elect, a club of noble men, an order of Knights. It is not without reason that the Counsel /for the Defense/ included Rosenberg among the Knights. All of them sparkle with moral purity and all of them are filled with pity towards their neighbours. The Obergruppenfuehrer of professional henchmen of SS went to save Jews from the pogroms and massacres and General Brauchitsch was a zealous pacifist.

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It is instructive that all the organizations without any exception, which are considered as criminal by the Indictment, are pure and immaculate according to the testimonies of the witnesses. Who then had committed the murder of 12 million peaceful inhabitants? Who tortured the prisoners of war and deported millions of people for slave labor in Germany from the occupied territories? No defendants are to be found!

Lies, cynical, blasphemous lies of people whose conscience did not hesitate before murder, whose honor did not prevent them from perjury, do not deserve to be refuted.

While examining the case concerning the criminal organizations the Prosecution submitted supplementary striking documents testifying new atrocities of the criminal organizations of the Hitlerites.

Facts, irrefutable facts have been established. The inflexible will of the law is clear. The time has come for drawing conclusions.

At the congress of the Nazi Party in 1934 Hitler declared: "It is not the state that has created us, but we have created the state. It is possible that we are considered by some as a party - by others as an organization, by others as something else, but in reality we are what we are."

The present trial gives a comprehensive and exact answer to the question who the Hitlerites were. The Fuehrer at the head of a criminal gang of conspirators, appearing in different roles and nominations (Ministers, Gauleiters, Obergruppenfuehrers, etc.) surrounded by a network of criminal organizations created by him, who had seized in their grip millions of German citizens - this was the outline of the political structure of Hitler's Germany.

The acknowledgement of the criminality of the organizations mentioned in the Indictment, as well as the acknowledgement of the existence of the conspiracy, are therefore the necessary conditions for the triumph of Justice, the triumph longed for by all freedom loving nations.

With regard to the separate organizations which were necessarily considered as criminal by the Prosecution, I find it necessary to mention the following in addition to the convincing arguments expressed by my honorable colleagues:

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THE LEADERSHIP CORPS OF THE NAZI PARTY.

In Count I paragraph 4, art. "A" of the Indictment, entitled "Nazi Party as the central core of the common plan or conspiracy", it is said:

"In 1921 Adolf Hitler became the supreme leader or Fuehrer of the Nationalsozialistische Deutsche Arbeiterpartei (National Socialist German Workers Party), also known as the Nazi Party, which had been founded in Germany in 1920. The Nazi Party, together with certain of its subsidiary organizations, became the instrument of cohesion among the defendants and their co-conspirators and an instrument for the carrying out of the aims and purposes of their conspiracy."

The legal investigation has fully confirmed this conclusion.

The numerous crimes of Hitler's clique were inspired and directed by the Nazi Party - the motive power of the Fascist conspiracy.

Many of the defendants and the so-called witnesses of the Defence said that they were nationalists, who had protected Germany from other countries attempting her existence. This is evident falsehood. Only impostors can assert that Austria, Czechoslovakia, Poland, Norway, Danemark, Belgium, Holland, Yugoslavia, the Soviet Union and other free loving countries made attempts against the integrity and independence of Germany. In reality the German Fascists are not nationalists but imperialists whose main and decisive purpose was the seizure of foreign land in order to secure the expansion of militant German capitalism. They shamelessly called themselves socialists. Only insolent demagogues can assert that German Fascists, who have eliminated all the democratic freedom of the people substituting it by concentration camps, who have introduced slave labor at works and factories and restored serfdom in the villages of Germany and in the countries occupied by them - are defenders of the interests of the workers and peasants.

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They boasted here at the court that the National Socialists "conquered unemployment", suppressing the fact that this conjunctered "victory" was the result of turning all Germany into an armed camp.

And if these imperialists and reactionaries disguised themselves in the garments of "nationalists" and "socialists", they did it exclusively to deceive the nation.

The very program of the Nazi Party contained the principles of the plan for domination, seizure of foreign territories and the principles of human hatred.

In one of the annuals of NSDAP, published under the direction of Ley it was said:

Transcr. aft.sess. 17.XII 45 p.1589
1708-PS
USA-255
USA-324 p.165

"The program - is the political foundation of NSDAP and, consequently, the fundamental political law of the state. All legal principles should be applied in the spirit of the party program. After seizing power the Fuehrer managed to realize the fundamental parts of the party program beginning with the basic principles up to the details."

Hitler's party is inseparable from Hitler's government, from the SS, Gestapo and other criminal organizations of Hitler's regime, as the Nazi leaders in the dock are inseparable from the henchmen of Auschwitz and Majdanek, Baby-Yar and Treblinka.

"What I have achieved, said Hitler, is known to the party thanks to which I became great and which was in turn glorified by me."

And indeed: Soon after the Hitlerites seized power the decree of 14 VII 1933 forbade the creation of any other political parties besides the Nazi Party. The NSDAP became the only political party in Germany. A little later on 1.XII 1933 the law was issued "Concerning the unity of the party and the state", in which it was mentioned: "After the victory of the national socialist revolution, the NSDAP is the bearer of German Statesmanship and is insolubly connected with the state.

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To ensure close collaboration of the party organizations with the offices of the state, the deputy Fuehrer is appointed member of the Government of the Reich."

Doc. 1395-PS Transcr. aft.sess. 17.XII 45 p.1593 GB.-252

Paragr. 3 of this law proclaimed the members of NSDAP and the shock detachments (including the organizations subordinated to them) as "the leaders and motive power of the national socialist government."

The law of 1.XII 1933 was the fundamental measure, which provided the leaders of the criminal Nazi Party with full political power in Germany, as this law established the Nazi Party as the embodiment of the state.

In order to attract the masses of the population to the Fascist regime, the Hitlerites introduced the most shameless social bribery besides speculating upon the national feelings and the unheard of social demagogy. Major organizations were created: The Union of Hitler's Youth, "Labor Front", SA men, SS men etc. Numerous members of these organizations were connected with the Fascist regime not only through various privileges and material advantages, but also by mutual responsibility for committing common crimes. The overwhelming machine of terror with its ramified network of detection, provocation, perfidy, concentration camps, summary justice operated against all discontented with the regime.

The system of combining the leading posts of the Nazi Party with the leading posts of the terroristic organizations - SS, SD, Gestapo, - and of the government, promoted the realization of the plans of the Fascist conspirators, relieved the realization of the plans of subordination and control over the German nation and country.

The Reichsfuehrer SS Himmler - was simultaneously Reichsleiter of NSDAP.

The Reichsleiter Rosenberg - was General of SS and SA.

The Minister of foreign affairs Ribbentrop - was General of SS, and the deputy Fuehrer Hess was simultaneously - Reichsminister.

The president of the Secret Council Neurath was General of SS, and one of the leaders of Gestapo - Best was Kreisleiter of the Nazi party etc.

After having secured, with the assistance of the party full control over Germany, Hitler's conspirators began the realizations of their aggressive plans. In his speech at the Reichstag on 20th February 1938 Hitler said:

2715-PS
Transcr.
aft.sess.
17.XII.45
p.1599-
1600
USA-331
p.1442

The greatest guaranty of the National Socialist revolution consists in complete external as well as internal domination of the National Socialist party over Germany and over all offices and organizations of Germany . . . All Offices are under control of the supreme political leadership."

I have already mentioned in my final statement that NSDAP turned under the leadership of Bormann into political organization which was in close interaction with the German secret police and SS; that the entire party machinery of NSDAP was drawn in for the realization of the aggressive plans of the leaders of Hitlerites Germany; that the party machinery of NSDAP took an active part in the measures of the German military and civil authorities for the inhuman allocation of prisoners of war and the population of the territories occupied by the Germans deported for slavery.

When we spoke here at the trial about Goebbels's lies, Himmler's terror and Ribbentrop's perfidy - this refers fully to the Nazi party. When the Prosecution submitted proofs of the criminal activity of Goering and Hess, Rosenberg and Streicher, Schirach and Frank, Speer and Sauckel, these were simultaneous proofs of charges against NSDAP, at the head of which were the defendants. These proofs were quite sufficient to consider the entire Nazi party as a criminal organization, as it is understood in the art. 9 of the Charter of the International Military Tribunal. However, the Prosecution does not put the question about the responsibility of the rank and file members of the party, many of whom became the victims of their confidence.

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In full conformity with the Indictment we raise the question of declaring it as a criminal organization, only as far as it concerns the Leadership Corps of the Nazi Party, which was the brain, the backbone and the impelling power of this party, without which the Hitlerite conspirators could not be able to carry out their criminal plans.

The Leadership Corps was a special selected group, within the very Nazi party, and as such was endowed with extraordinary prerogatives. Political Leaders were organized according to principles of leadership, which was applied not only to Hitler, but to the entire Leadership Corps.

US-323
1893-PS
Transcr.
aft.sess.
17/12/45
p.1597

"The basis of the party organization is the principle of leadership - is written in the charter of the Nazi party.

Each political leader was sworn in. According to the party charter the wording of the oath was as follows:

Transcr.
aft.sess.
17/12/45
p.1597
US-323
p.17

"I pledge eternal allegiance to Adolf Hitler, I pledge unconditional obedience to him and the leaders appointed by him".

All political leaders were appointed by a special selection. The only difference was, that some of them, as Reichsleiters, Gauleiters and Kreisleiters, were appointed by Hitler himself, and the others by department and division chiefs in Gau and Kreis, as well as Ortsgruppenleiters - by Gauleiters. Such political leaders as Block and Cell leaders were appointed by Kreisleiters.

Transcr.
aft.sess.
17/12/45
p.1598

Many of these Reichs- and Gauleiters have passed by here before Your Honor: In the defendant's dock are Reichsleiters Rosenberg, Schirach, Frick. Together with the missing Reichsleiters Bormann, Himmler, Ley and Goebbels they represented the leading group of the Nazi party and they were leaders of the fascist conspiracy as well.

Here is Gauleiter of Franconia - Streicher. There is slave trader Sauckel, Gauleiter of Thuringia. You have heard of the Erich Koch's henchman activity in Ukraine. Erich Koch was a Gauleiter too.

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The Gauleiter of Lower Styria Ueberreither, carried out the mass shooting and executions in Yugoslavia. I will quote some short extracts concerning his activity:

USSR-191 Transcr. aft.sess. 31/7/46 p.1112

"20/6/1942. Within the reporting period in the district of Celje 105 people were shot and 362 arrested. ... The chief of the security police will empty the prison in two weeks time. A part of the imprisoned people will be transferred to other prisons and the other - shot. Thus we shall prepare enough room for the next large scale action."

"30/6/1942. 67 persons were shot in Celje. Among them 6 women"etc.

USSR-517

Gauleiter Wagner terrorized people in Alsace, Gauleiter Terboven - in Norway. Gauleiter Bohle, leader of the organization of the NSDAP abroad, set up and directed a widely ramified terroristic net-work for espionage and diversionist activities abroad and created the so-called "fifth columns" in different countries.

Reichs-gesetzbl. 1939 Part.I p.1565

According to the decree of the 1/9/1939 sixteen Gauleiters were appointed Reichs Plenipotentiaries for the Defense of the Reich. Later on in connection with the necessity of the utilization of the military resourses, the Gauleiters carried out even more and more important tasks.

Reichs-gesetzbl. 1942 Part.I p.649

Each Gau (district) was proclaimed as Reichs defense area and Gauleiters became commissars of these areas. According to the decree of the Cabinet's Council of 16/11/1942 it was ascertained that "in war time Gauleiters are charged with extraordinary tasks". During the war

Transcr. Intern.Sess. 17/12/45 p.1572

Gauleiters had carried out the tasks of billeting, they were charged with the important military functions, and all branches of German war economy were coordinated by them.

At the end of the war the Gauleiters were the Commander of the Volkssturm in appropriate areas.

We should remember that when in March 1945 Speer was appointed as Hitler's plenipotentiary for the total destruction of industrial objectives, railways and other means of communications, - he sent his telegraph-order to Gauleiters, for they had personally directed the carrying out of destructions of the important objectives on the spot.

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And now, after all what has been done, the Defense is trying to present Hitler's party as a kind of welfare society, and its leaders as patronizing ladies; it is trying to embroil a quite clear matter with a heap of written documentary evidence collected in various prisons and camps where the arrested fascists have been kept.

The ill-famed fascist Kaufmann summoned by the Defense to the witness stand, being member of the Nazi Party since 1921 and Gauleiter for 20 years, - did not know anything about crimes of Hitlerite conspirators. He was a "socialist" and was taking care only of the welfare of the population.

Another defense witness Hans Beckscheider, being an Ortsgruppenleiter for a period of 12 years, went even further in his testimonies. He declared that during these 12 years he did not get enough time to read even "Mein Kampf".

A third witness, Meier Wendeborn, a Kreisleiter since 1934, surpassed even Kaufmann by trying to help his accomplices. When the latter gave an affirmative answer to the question: "Were Block - and Zellenleiters a kind of political leaders?" - Meier Wendeborn answered to the same question in the negative.

Transcr. morn.sess. 30/7/46 p.52 and 30/7/46 p.1

It would be very easy by some more examples to prove the inconsistency of the defense standpoint, but I consider it useless to enter into a discussion with the Defense summoning such witnesses as Kaufmann, Wendeborn and similar.

Among the political leaders of Hitlerite Germany (this title was legalized by Hess' decree of 27/7/1935, as shown in the defense document # 12) there was within the party hierarchy a separate group of so-called "Hoheitstraeger" (bearer of sovereignty) which occupied a special position.

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USA-323
1893-PS
Transcr.
[illegible].sess.
17.XII.45
p.1578

Together with the Gauleiters and Kreisleiters the group of "Hoheits-traeger" included the Ortsgruppenleiters, Zellenleiters and Block-leiters also.

USA 323
1893-PS
Tr.aft.
sess.
17/XII.45
p.1579
USA 325

The special character of political leaders called "Hoheitstraeger" is described in the Party Manual (charter) of NSDAP and in the periodical called "Der Hoheitstraeger" which was strictly confidential to everybody except a certain group of the Leadership Corps of NSDAP, SS and SA.

From the contents of "Der Hoheitstraeger" it is quite evident that the Leadership Corps of the Nazi Pary, paid continual attention to the measures and doctrines, carried out as the fascist conspiracy was being realized. In 1937/38 the following problems were treated in the mentioned periodical:

The slanderous anti-semitic articles, among them some by the well known Ley, the attacks on the Church, the substantiated necessity of increasing the "living space" and seizing colonies; the motorization of the armed forces; the utilization of the Nazi party cells and blocks to gain favourable votes for the Hitlerites in the plebiscite; the cult of leadership race-theory, etc.

Tr.aft.sess.
[illegible] XII.45
[illegible]580

These problems were treated in each copy of the periodical. And even after this evidence, the Defense is trying to assert that the Leader-ship Corps of the Nazi party was not acquainted with the plans of the Hitlerite conspirators.

The Nazis are trying now to disavow the compromising connections they had with Gestapo and SD, but these connections are indisputable.

ecree of
he Fuehrer's
eputy 1937
.143
r.aft.sess.
7.XII.45
.1585

As early as on the 26.VI.1935 Bormann had issued an order which reads: "In order to effect a closer contact between the Party offices and its organizations with the Directors of the Secret State Police (Gestapo), the Deputy Fuehrer requests the Directors of the Gestapo to be invited to attend all of the larger official rallies of the Party and its organizations".

In another regulation issued on the 14.II.1935, and signed by Bormann too, it was stated:

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"Because the work of the Party, is primarily benefited by the work of the SD, it is inadmissible that its expansion be upset by prejudiced attacks when individuals fail. On the contrary, it must be wholeheartedly assisted."

'Decrees of the Fuehrer's Deputy" for 1937 p.528 3237-PS

The Tribunal disposes of numerous proofs of the heaviest crimes in which the entire Leadership Corps of the Nazi party participated from Reichsleiter to Blockleiter included. I will recall only a few of them.

While carrying out the plans of Hitlerite conspirators for the enslavement of the Yugoslav people, the Kreisleiter of the Pettau district, helped by Ortsgruppenleiter and Blockleiter, destroyed all inscriptions, posters and announcements written in the Slovene language. This fascist ruler went even so far as to order the Gruppenleiter "to take care that all Slovene inscriptions on the saint images (icons), chapels and churches should be immediately and completely removed."

USSR-143 Transcr. aft.sess. 31.7.46 p.7

In the letter of 13/11/1944 addressed to all Reichsleiters, Gauleiters and Kreisleiters, Bormann notified them of the agreement concluded with the OKW concerning " the cooperation of the Party in the commitment of prisoners of war. Therefore the officers assigned to the prisoners of war system have been instructed to cooperate most closely with the bearers of sovereignty(Hoheitstraeger); the commandants of the prisoner of war camps have to detail immediately liaison officers to the Kreisleiter".

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What were the results of this cooperation and in which way PWs were utilized in Germany - is well known.

In Goering's decree of the 27/3/1942 issued in connection with the appointment of Sauckel Plenipotentiary General for the Labor Commitment was stated that Sauckel is authorized to issue orders"... to the party officials, party agencies and its adjoining organizations".

SSR-365 ,2

And Sauckel did take advantage of this authorization. As he wrote in his "programme issued on the Fuehrer's birth-day", he "with the Fuehrer's and Reichsmarshal's consent, as well as

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with the consent of the Head of the Party Office" appointed all Gauleiters of the German Reich his plenipotentiaries. Sauckel's decree formulated the Gauleiters' tasks as follows:

USSR-365 p.5 and 18

"To secure the uninterrupted interaction of all state, party, military and economic authorities in order to attain the greatest effect in the field of allocation of labor."

On 25/9/1944, Himmler issued a top-secrete directive concerning

D-226 USA-697

"the strengthening of discipline and efficiency of foreign workers." In this directive Himmler warned". . . the party leaders in all enterprises to observe closely the frame of mind of the foreign workers. For this purpose the close cooperation of the party, state and economic authorities with the Gestapo is of the greatest importance."

Further on, in this directive it was stated that all members of the NSDAP working in enterprises, subject to instructions given them by the Kreisleiter and through the Ortsgruppenleiter are obliged "most carefully to watch upon the foreign workers and notify, by all means, the party leader in the enterprise about the received informations in order to communicate them to "Abwehr" officials." Where there was no permanent official of the Abwehr, the information was delivered to the Ortsgruppenleiter.

Himmler's directive prescribed, that "in the interest of the unified political leadership, the Abwehr officials should coordinate their work with the Gestapo leaders, who, in the case of need, are to be summoned by the Kreisleiter".

D-226 USA-697

That is exactly what was meant by "political leadership" of Kreis- and Ortsgruppenleiters. Similar spy functions were carried out by Blockleiters too, and this was clearly indicated in the "Organization Book of the NSDAP" (Party Manual),

USA-323 p.101 1893-PS Mr.morn.sess. 17.12.45 p.1575

"A Blockleiter should expose all persons spreading pernicious rumours and report them to the Ortsgruppenleiter, in order that the latter could report them through official channels to the state authorities."

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A Blockleiter had the task "to propagate the national-socialistic ideology among party comrades and the population entrusted to him". He recruited members into the organizations of Hitler Youth, SA, SS; DAF (German Labor Front), he secured the attendance of the party rallies, the participation in demonstrations, etc.

USA-323
p.104
PS-1893
p.45-46
Russ.text

"A Blockleiter has to carry out a continual national-socialistic propaganda."

What kind of Nazi propaganda it was - we all know very well.

"Mein Kampf" p.715

"We want arms again, - wrote Hitler. Therefore, all disposable means - starting from the child's abc-book up to the latest news-paper, every theater, and cinema, every sign-post and signboard should be put in service of this great mission."

Not every German knew these words of Hitler, but everyone knew the Blockleiter of his Block, and this man was continuously spreading the fascist contagion, poisonning the people's minds, thus assisting in the realization of the general plans of the Hitlerite conspirators.

Blockleiters appeared as small Fuehrers but even they were endowed with very positive powers over the population, living in the regions entrusted to them.

Certainly the Blockleiters did not work out the plans of aggressive wars, but they did contribute very much to the realization of these plans.

They formed too, a very important part of the Nazi Party which was the centre of the fascist conspiracy.

That is why we insist on proclaiming the group of the Political Leaders of the Nazi Party as a criminal organization, together with all big and small Fuehrers, Reichsleiters, Gauleiters, Kreisleiters, Ortsgruppenleiters, Zellenleiters, and Blockleiters, - that is to say the whole Leadership Corps of the monstrous machinery of fascist dictatorship.

H2745 - 0020

SCHUTZSTAFFEL - "SS".

Among other criminal organizations created by German fascism, special attention should be paid to the so-called "Schutzstaffel" of the Hitlerite party or abbreviated "SS".

The heaviest crimes of German fascism are connected with the title of "SS"; mass murder carried out in concentration camps, merciless butchery of the civilian population and prisoners of war, fanatical large scale "actions".

Generally speaking, the "SS" men were supposed to carry out the plans of genocide of Hitler and his clique.

The Reichsfuehrer "SS" Himmler often called "SS" the "Black Corps". "Das Schwarze Korps"-"Black Corps" was also the title of the official "SS" news-paper, the organ "of the Reichsfuehrer SS."

It was not a title, picked up at random. The whole system applied by "SS" starting from the so-called "Allgemeine SS" ("General SS") and up to the Camp Guards and SS Armed Forces was actually built up as a special "Corps" of criminals convinced of their own impunity, and purposely trained and educated in the sense of the most cruel and inhuman "theories" of the Hitlerites. The chief fascist conspirators needed the mass cadres for carrying out the murder of millions of enslaved people, for the seizure of territories and realization of the so-called "Germanization". All these tasks were carried out by the "SS" men.

The "SS" organization was created and became famous as the pretorian guard of Hitler, and organization of pogrom-makers and murderers. During the whole period of it existence it has always remained the same.

Among other evidence, presented by the Soviet prosecution, there
USSR-59 was a news-paper of "Das Schwarze Korps" issued on 20 August 1942 with the leading article published in it entitled "Should we germanize?".

H2745 - 0021

The contents of this article representing the Nazi ideas of Himmler, are of such an importance for a correct illustration of the "SS" substance, that I am going to quote a small extract from it:

"... The following slogan has been given by the Reichsfuehrer SS:
USSR-59 "It is our task, not to Germanise the East in the old sense, i.e. to teach the people living there the German language and German laws, but to see to it that only people with the German, Germanic blood, should live in the East".

This article had been published for the information of the "SS" men at a time, when criminal German fascism was still sure of its victory and had already started to carry out the extermination of millions of people.

At the conference of Gruppenfuehrers, held in Poznan on the 4 Oct. 1943, making a speech concerning the extermination of European Jews, the creator of SS, Himmler stated as follows:

1919-PS "Among ourselves it should be mentioned quite frankly, and yet we
USA-170 will never speak of it publicly. Just as we did not hesitate on June 30th, 1934, to do the duty we were bidden, and stand comrades who had lapsed, up against the wall and shoot them, so we have never spoken about it and will never speak of it ... I mean the clearing out of the Jews, the extermination of the Jewish race. It's one of those things it is easy to talk about- "The Jewish race is being exterminated", says every party member, "that's quite clear, it's in our program - elimination of the Jews, and we're doing it, exterminating them" ... Most of you know what it means when 100 corpses are lying side by side, or 500 or 1000 ... Altogether however, we can say, that we have fulfilled this most difficult duty for the love of our people. And our spirit, our soul, our character has not suffered injury from it".

I do not want to dwell upon the history of "SS". One may add only to what has already been said, that the Schutzstaffeln SS, created early in 1925, became according to the Hitler's special decree of the 20/7/1934 an independent organization of the Hitlerite party, just after political murders committed by the "SS" men on the 30/6/1934.

Hitler's decree states as follows:

1857-PS
USA-412

"In consideration of the greatly meritorious service of the SS, es cially in connection with the events of 30 June 1943, I elevate it to the standing of an independent organization within the NSDAP."

The process of development of the SS in the Hitler's State, testifies clearly of the steadily increasing consolidation of SS the so-called General "SS" as well as "Armed SS Forces" with the police organization of Gestapo, SD, Einsatzgruppe and Sonder-kommandos carrying out large scale "actions" and "filtrations" in the camps, etc..

This process of development was completed on the 17 August 1938 by a secret decree of Hitler, in which, explaning the reasons compelli him to unite on the 17 June 1936 the offices of the Chief of the German Police and the Reichsfuehrer SS - Hitler stated:

"By appointing the Reichsfuehrer SS, and the Chief of the German Police at the Ministry of the Interior on the 17 June 1936 (Reichsgesetzblatt part I p. 487) I have created a fundation for the consolidation and reorganization of the German Police."

In accordance with this measure the "Schutzstaffeln" of the Nazi Party, directed by the Reichsfuehrer SS and Chief of the German Police, entered into close collaboration with the German police. And only in this, most close collaboration with the most cruel members of the police, created by German fascism and especially appointed to carry out tortures and extermination of people, could the exact task of the "SS" be understood.

The defense has unsuccessfully tried to refute this evidence. It has tried to present this organization before the Tribunal, as composed of a number of absolutely independent cells separated by means of innumerable partitions, as: "Allgemeine SS" ("General "SS"), "Waffen SS" ("Armed SS Forces"), "Verfuegungstruppe SS" ("Special SS Units") the "Totenkopf" division ("Dead Head" division).

H2745 - 0022

It appears, that outside of a small section of "Toten-Kopf" not one o the units or sections of the SS had any connection with the police an the concentration camps, any more than with the police activities conducted by Hitler, Hi , Heydrich and Kaltenbrunner, or for that matter with the other grave crimes committed by the Hitlrites. As a result, in the opinion of the Defense, the only participants in the crimes perpetrated by these executioners were the Gestapo members Muller and Eichmann and t chief of the "D"-administration of the SS - P a u l .

To wit, these particulr seven persons murdered and tortured over 10 million people

Among the famous perjurers already known to the Tribunal, such witnesses for the Defense o the S as the former supreme Fuehrer of the SS and Police of the Oberabschnitt in Munich, the SS-Obergrupp fuehrer Baron von Eberstein, colonel-general of the SS-troups Hauser, the chief of the S recruiting section Brill, or the S judges Reinic and Mohr should by all rights take one of the first, if not the first place, in the sha sness of the lies to which they resorted order to justify the SS and its members.

However even falshood has its limits.

Carried to absurd proportions it did not only help the criminals, but, instead, served to expose them.

It seems to me, that the Tribunal will duly appreciate the testimony of judge Mohr of the SS-reserves, who describes one of the most brutal SS-concentration camps, Buchenwald, as practically a sanatorium for the internees abounding with good food and playgrounds, with easy work in the open air and a large library.

Transcr.
Aft.Sess.
7.8.1946

In complete contradiction to the unintelligent lies of the "witnesses" for the Defense of the SS are the documents which expose this criminal organization. These lies are also contradicted by the irrefutable logi of facts - facts of the gravest crimes the organizers and perpetrators of which were members of all chief links and organizations of the SS.

H2745 - 0023

At the beginning of the war the SS organization consisted of the following main links:

I. The so-called "General SS" (Allgemeine SS), where the SS members received general training before being assigned to the SS troups or to one or another of the police organizations. The "General SS" served as a reservoir from which reinforcements were drawn for special fascist organizations - such as the secret State Police (the Gestapo), security police ("SD"), the administration of the concentration camps ("Group D" and others.

2. The SS troups, whose activities the Defense and the defendants have so insistently tried to present as the "units of the guard" of the former German army, were nowise so remote from police activities. The SS troups included among other units those organizations, the criminal character of which even the Defense for the SS did not dare challenge. These were the camp commandants of the SS-troups, who conducted mass extermination of the peaceful population and prisoners of war in the concentration camps. It was the "Waffen-SS" which also included the SS police regiments, that made up the units responsible for the destruction of populated centers and villages, and the perpetration of innumerable crimes on the temporarily occupied territories of Soviet Union and the countries of Eastern Europe.

3. The system of SS included the SS economic administration in charge of the concentration camps, the administration for the consolidation of the German nation, which put into practice the infamous doctrines of "racism", and all the Hitlerite police organizations, among them such agencies as Einsatzgruppen and Sonder--Kommando.

It is hardly worth disputing the assertions of the Defense, that the relation of the SS to the police was "purely external" and to be explained simply by Himmler's "personal union".

H2745 - 0024

. It is well known what importance Himmler attributed to the fact that all the officials of the police had to be members of the "general SS", which served as the reservoir and the cementing nucleus of the entire SS Police system of German fascism. Amongst other evidence submitted to the Tribunal, there is a letter from Himmler to Kaltenbrunner dated 24 April 1943, in which he speaks of "the order of the enrollment of the Sipo officials (security police) into SS membership in cases where

USA-447
PS-1680

"the applicant is eligible both racially and ideologically, if he can provide guaranties as to the number of children, the health of his entir stock, and proof that he is personally in good health and is not a degenerate".

To this dishonorable "black corps" of German fascism was given a special role in the realization of the fascist criminal plans.

These degenerates dressed in the SS uniform and devoid of any idea of human morality, were not only assured of impunity for their crimes, but they were daily indoctrinated with the idea that they were the "most valuable racial class" which would form the foundation of the future great German Empire".

This they were repeatedly told by Himmler and by the Reichsleiter and Gauleiters who were raised by Himmler to the high ranks in the SS an dependent upon the evaluation of their activities by the "SS - Reichsfuehrer", promoted up the ladder of the SS hierarchy.

As an SS member, Ribbentrop, the Minister of Foreign Affairs of fascist Germany, was not only ashamed of being compared as a member of SS to the murderer Paul or plunderer and executioner Globoschnik, but he was exceedingly proud of it.

USSR-512

"I shall always consider it a special honor to belong to this proud corps of the Fuehrer, the corps which has a decisive importance for the future of our great German empire, "wrote Ribbentrop in his letter to Himmler, when he was promoted from Gruppenfuehrer to Obergruppenfuehrer of the SS.

H2745 - 0025

H2745-0026

Thus one and the same SS system united the commandant of Treblinka Unterscharfuehrer Kurt Frank, the inventor of the "dead-vans", Untersturmfuehrer Becker, the SS experimenter on live persons, Dr. Rascher, and the Reich Minister and SS-Obergruppenfuehrer Ribbentrop.

At a conference of the SS-Gruppenfuehrers in Pozen, in his speech on the unity of the SS and the police, Himmler stated:

"I am always doing something towards this end, a bond is constantly being cast around these sections of the whole to cause them to grow together. Alas, if these bonds were ever loosened, - then everything - you may be sure of this - would sink back into old insignificance in one generation, and in a short space of time. .... I think that we are responsible for it to Germany, for the German Reich needs the SS organization. She needs it at least for the next few centuries."

USA-170
PS-1919
p.105

In concluding his speech, he said:

p. 112 "....When the war is won, - then, as I have already told you, our work will start."

"...the most copious breeding should be from this racial super-stratum of the Germanic people. In 20 to 30 years we must really be able to present the whole of Europe with its leading class. If the SS, together with the farmers, - we together with our friend Backe, then run the colony in the East on a grand scale, without any restraint, without any question about any kind of tradition but with nerve and revolutionary impetus, we shall in 20 years push the national boundary (Volkstumsgrenze) 500 kilometers Eastwards ...

... We shall impose our laws on the East. We will charge ahead and push our way forward little by little to the Urals."

It is impossible to enumerate in a short statement the gravest crimes committed by the members of the SS.
Nor is it necessary, since the evidence submitted to the Tribunal is too recent and vivid in our minds.
I shall dwell briefly upon some questions, dealing with the responsibility of separate SS-Groups in connection with the objection raised by the Defense Counsel.

H2745 - 0027

a/ "General SS"

No matter to which of the special SS organizations an SS member belonged, first and foremost, he was a member of the "General SS". His expulsion from such membership signified loss of his position and all the privileges related thereto.

In this connection I shall read one of the documents submitted by the Soviet Prosecution on the subject of the Hitlerites' criminal acts against Soviet Prisoners of War.

In this case we have documents of the investigations conducted by the SS officials in relation to an "incident", as it is called in these documents, which occured during the performance of a "special regime operation".

The Tribunal well knows the significance of this last term. In this particular case, a certain SS-Hauptsturmfuehrer Kallbach, who investigated the so-called "educational labor camp" for Soviet prisoners of war in Berdichev, decided to put to death 78 Soviet prisoners

USSR-311 whose conditions is described in records of the interrogation by the Commander of the Camp SS-Sturmbannfuehrer Knopp as follows: "They were very seriously wounded. Some were without legs, some without arms and others had lost at least one of their extremities. Only a few had no injured limbs, but these were so crippled as a result of other kinds of wounds, that they were unable to work." The fact that the Soviet prisoners of war could not be utilized for work was the only reason for their murder.

The execution of the sentence was entrusted to three SS men, SS-Unterscharfuehrer Palmo, SS-Rottenfuehrer Hesselbau and SS-Sturmfuehrer Volpracht. These three SS men are characterized in the evidenc as follows:

" ... I know that the three above mentioned persons, whom I assigne

USSR-311 to shoot the prisoners of war, had participated in mass executions of many thousands of people in Kiev. And the local administration, even since my arrival, had given them the task of shooting many hundreds of persons."

However, it so happened, that when 28 of the prisoners were being transported to the place of execution they put up heroic resistance against the executioners, killed two of them and managed to escape.

It was in connection with this that the investigation was ordered. The Commander of the SS detachments in Berdichev was prosecuted not for his orders to murder 78 sick innocent people, but for allowing the possibility for escape.

I have quoted this document not simply to remind you of one of the countless episodes of the SS brutalities on the territory temporarily occupied by the SS, but to read a quotation in which typical warning of responsibility for perjury is given prior to the interrogation by the investigating SS men.

It states:

" ... I have been notified of the substance of the forthcoming

USSR-311 interrogation. It has been pointed out to me, that false evidence on my part will result in punishment and expulsion from the SS."

Upon entering the "General SS" the future member of this criminal organization took an oath, which included the following words:

3429-PS
USA-446 " ... I take an oath before you, Adolf Hitler, Fuehrer and Reichskanzler, to obey unto death you and all those whom you have appointed to command me."

And no matter where the SS man was in service, whether he was murdering people in Treblinka and Auschwitz or tortured them during the interrogations in the torture-chambers of the Gestapo, first of all he continued to be himself - a stupid, ruthless member of the "General SS" who knew only two duties - blind obedience to the "Fuehrer and Reichskanzler" and unconditional enforcement of any criminal order.

H2745 - 0028

b/ "SS TROOPS WAFFEN-SS"

The organization of the SS Troops originated from the so-called LEIBSTANDARTE", Hitler's body guard, and the division "Dead Head" which was active mostly in concentration camps.

In wartime the SS Troops included, among the other units and formations, the so-called "Camp Commands" which carried out direct the extermination of millions of people and the realization of the regime of exhaustion of the inmates before extermination, as well as the police divisions and units.

This simple enumeration of the units composing the Waffen-SS fully testifies their criminal character.

The Soviet prosecution has presented as evidence the sentence of the Military Tribunal of the Fourth Ukranian Front and a report of the Extraordinary State Commission concerning the atrocities of the German Fascist invaders in Kharkoff and in the Kharkoff area, from which it is evident that the units of the SS -- particularly the SS Division of Adolf Hitler under the leadership of the Obergruppenfuehrer Dietrich and the SS Division "Dead Head" under the leadership of the Obergruppenfuehrer SS Simon are responsible for the extermination of more than 20,000 peaceful citizens of Kharkoff, for shooting and burning alive of prisoners of war.

In Kiev alone, during the period of German occupation, there were more than 195.000 peaceful citizens tortured to death, shot and poisoned in the "dead vans"; most of them being exterminated by the units of the SS; for which- according to the reports of the Extraordinary State Commission, the former Chief of the SS Troop in Southern Russia, and in the Ukraine Major General Torenfeld, SS Lieutenant General Juettner, and other Commanders of the SS Troops are responsible.

In the Town of Rovno and the Rovno district the Germans have exterminated 102,000 persons. Among many others, a soldier of the Fourth squadron of the Seventeenth Cavalry Division of SS, Adolf Mitzk testified how the SS men carried out these crimes; on the order of his Regiment Commander Adolf Mitzke, together with the other soldiers of his Regiment, carried out the shooting of peaceful citizens ((among them women), and set villages on fire.

H2745 – 0029

H2745 - 0030

In the official note of the Minister of Foreign Affairs of the USSR-51 USSR, W.M. Molotoff, dated 27 April 1942 and presented to the Tribunal under USSR-51 a description of atrocities committed by the SS Cavalry Brigade in the Region of Toropets is reported. I quote into the record:

"In January 1942, when Red Army troops smashed the German SS Cavalry Brigade in the district of Toropets, among the captured documents was found the report of the 1st Cavalry Regiment of the above-mentioned brigade on the "pacification" of the Stary Binsk District in Byelorussia. The regimental commander reports that in addition to the 259 war prisoners shot by a detachment of his regiment, 6,504 peaceful inhabitants were executed. The report states that the detachment operated in accordance with regimental Order No. 42 of July 27, 1941. The commander of the 2nd Regiment of the same brigade, von Magill, states in his "Report on the Conduct of the Pacification Operations in the District of the Pripet Marshes from July 27 to August 11, 1941": We drove the women and children into a swamp, but this did not have the necessary effect as the swamp was not deep enough for them to drown. At a depth of 1 metre it was possible in most cases to reach firm ground (possibly sand)." In the same headquarters, telegram No. 37 was found, sent by the Standartenfuehrer, commander of the SS Cavalry Brigade, to a horse detachment of the above-mentioned 2nd Cavalry Regiment, dated August 2, 1941, which announces that the Reichsfuehrer of the SS and Police, Himmler, considers the number of peaceful inhabitants who are being exterminated "too negligible," points out that "it is necessary to act radically," that "the commanders of the formations are too lenient in their conduct of operations," and orders that the number of persons shot be reported daily."

The whole criminal activities of the SS units in the territory of Yugoslavia, Poland and other temporarily occupied countries of Eastern Europe followed the same pattern.

I wish now to bring to the attention of the Tribunal the numerous documents presented to the Tribunal by the Soviet and British Prosecution, in which the crimes committed in the territory of Yugoslavia by the SS Division "Prince Eugene" are illustrated.

USSR-520
USSR-515

In particulr I wish to remind the Tribunal of the Communication No. 9 of the Yugoslave State Commission concerning the atrocities committed by the aforesaid SS Division. This Communication describe how the SS soldiers, members of the Waffen-SS who called themselves "the German Guard", have burned alive the population of entire villages, including women and children. I will remind you as well of the deposition given by the SS Major General August Schmidthuber describing how, on the order of the Commander of the First Battalion SS Kaasarer, peaceful citizens were locked up in a church in Krivaya Reka, and the the church building was blown up.

USSR-513
GB-592

I refer the Tribunal to the well-known statement of the officers of that same Division concerning the mass shooting of hostages and murdering of prisoners of war.

A secret directive of Himmler's was read before the Tribunal - by which it was shown that SS units were instructed to annihilate thousands of inhabited localities, towns and villages in the temporarily occupied regions of the Soviet Union. In this directive Himmler wrote as follows:

"The aim to be achieved is that when areas in the Ukraine are evacuated , not a human being, not a single head of cattle, not a hundredweight of cereals and not a railway line remain behind; that not a house remains standing, not a mine is available which is not destroyed for years to come, that there is not a well which is not poisoned. The enemy must really find completely burnt and destroyed land."

H2745-0031

In carrying out the criminal orders of the SS-Reichsfuehrer (Himmler's order of 10 July 1943), the Waffen-SS deported for German slavery the populations of entire regions - driving the Ukrainian and Russian children into special concentration camps.

The so-called Waffen-SS were the specially selected SS units composed in the main of volunteers, as well as members of the general SS called upon to carry out the criminal plans of Hitler and his clique.

The attempts of the Defense Counsel and of the defendants themselves to declare the SS a kind of "German Guard", having nothing to do with any kind of police function whose hands are unstained with the blood of innocent people, are in full contradiction with the ruthless and irrefutable facts. Nevertheless, we do not deny that among the soldiers of the Waffen-SS were some compelled to serve. However, the question of the degree of responsibility of any particular person is a question of competence for the national Tribunals. Nevertheless, the SS troops as a whole are an essential part of the system and the SS organization is, therefore, undoubtedly criminal.

SHOCK TROOPS - "S A".

On 4 October 1943 in his speech addressed to the SS Gruppenfuehrers in Poznan, Himmler stated;

PS-1919

"We want a complete unity with the Party and all its organizations It is very fortunate that we are completely united with the "SA."

USA-170

The new Chief of Staff Scheimann considers his most essential task that of creating peace and accord among the old Party groups.'

Thus, the creator of those SS who in 1934 liquidated the heads of the SA Putsch-- in 1943 confirmed the full unity of the SS with the SA and emphasized the importance of this Hitlerite criminal organization for the general conspiracy.

H2745 - 0032

During the whole process of the growth of the Hitlerite party and of the Hitlerite State, the "SA" was the criminal organization to which the ringleaders of German fascism attached special importance considerin it one of main weapons for terrorizing and fooling their own nation and for laying ground for aggression against other nations.

The "Sturmabteilungen" or "SA" were the first striking force in the hands of the conspirators, the first mass and military organization founded by them.

They were organized by Hitler in 1921, with the full support of the Reichswehr, who was hoping for revenge.

The nucleus of the "SA" was made up of men such as Streicher and Roehm, "zoological" anti-semites, chauvinists, supporters of the idea of the conquest of "living space", officers having left the army and soldiers of the defeated Kaiser's army.

The shock units were composed of the most reactionary elements seeking revenge, and to the "SA" entered adventurers, tempted by the decorative side of this criminal organization and seeing in it a possibility of participating in "pogroms" and plunder.

2354-PS From the very beginning the "SA" was a strictly volontary organization. This principle stayed in force during the whole process of development of the shock units.

From the Munich Putsch in 1923 till the seizure of power by the Hitlerites in 1933, the "SA" remained a legal weapon in the hands of the Hitlerite fascist clique, securing for it the "mastery of the streets" and the elimination of political opponents.

1725-PS With the "SS", the shock units were an integral part of the Hitlerite party. This fact was officially declared in the ordinance of

3220-PS March 1935 (Reichsgesetzblatt, 1935, part I, page 502) and the same

USA-323 was to be found in the organizational charter of the Hitlerite party (page 352).

H2745 - 0033

In his pamphlet "The SA", the SA-Sturmfuehrer Bauer wrote:

"The public opinion would never have learned of the stirring speeches and the propaganda of our small faction in the Reichstag or of the aspirations and aims of the party, if it had not have been hearing the steps of the marching SA units and their battle songs".

But the "steps of the marching SA and their battle songs" were not the only things heard by the German "public opinion". It perceived far more, the blows of rubber bludgeons, the shots fired at political opponents and the pogroms in the working wards. For the chief fascist conspirators the basic value of the SA was precisely their function as a weapon for pogroms and terror.

During the period of struggle for power and thereafter, the shock units were first of all a weapon of rough coercion, a mean of elimination and extermination of political opponents.

This situation was very franckly depicted by Goebbels in a speech delivered by him in 1935. He then stated:

"The internal political opponents did not disappear by means of so unknown secret reasons. No, they disappeared because our movement had at its disposal the strongest weapon in the country, and this strongest weapon, was the "SA" units".

Transcr. May 1946 Morn.sess.

The Tribunal will remember the evidence given by the witness Gisevius of the terror applied by the shock units in the streets of German towns, of the "pogrom-makers" in SA uniforms, who beat, killed, scoffed at human dignity and transformed the headquarters of the SA into houses of torture.

It is true that when the Hitlerites came to power another terroristic organization was practically formed which became the principal executor of their plan, and with the SA formed the reserve of that great police machinery which was set up by German fascism. These were the SS, and the brownshirt-men surrounding Hitler had to somewhat stand aside and give place to the head of the Hitlerite party organization to the "black corps" of the SS.

H2745 - 0034

The official biographer of Goering speaks of the wide use of the

3252-PS
USA-424

SS as a reserve of the political police. He notes that when forming the Gestapo, Goering included into the personnel of this organization, one of the most dangerous criminal organization of German fascism, many members of the SA, "they being the most reliable , from the political point of view".

Evidence has already been presented to the Tribunal, showing that as the SS members of the SA, after the fascists came to power, formed detachments for the guard of concentration camps.

Describing the concentration camp of Oranienburg, the SA Sturmbann-fuehrer Schaefer states:

USA-423

"The most tested and daring members of the SA were chosen for work in the camp, that is, they were the constant guards of the camp. In this way we formed a staff of experienced guards, who were always ready for action."

778-PS
USA-421

It seems unnecessary for me to dwell on the treatment of the prisoners in these camps and the line of conduct in the concentration camps of the men of the shock units in their role of executioners.

The men of the shock units directly accomplished the first anti-semitic pogroms. This is proved by the original reports of the commande

USA-425
USA-414

of units and detachments of the SA, contained in other documents submitted by the Prosecution. As the SS, the SA were formed in the same spirit of ferocious anti-semitism, which ended up by the establishment of Treblinka and Chelmno.

However, in analyzing the criminal character of the SA organization another of its important functions in the execution of the general plan of development of the Hitlerite conspiracy must not be omitted.

H2745 - 0035

The SA was the organization under whose cover was carried out the mass training of the military personnel for the Wehrmacht. This personnel was later on called upon to execute the plans of aggression of the Hitlerites.

This criminal activity was executed with a maximum of secrecy for the outer world.

"Further to my instructions... dated 11 July 1933, I find cause to ask all SA authorities to exercise the greatest caution with regard to any publicity given to the SA service not only in the press, but also in the information and news sheets of the individual SA units. Only during the
USA-428 last few days, the Reich Ministry of the Interior, at the request of the Foreign Office, has given strict instructions to all Reich authorities according to which the most severe control is to be exercised on all publications which might give other countries an opening to construe German infrigements of the terms of the Versailles Treaty."

This secret order of the Chief of Staff of the SA fully refutes the assertion of the defense relatif to the "peaceful character" of the shock units and the "purely sport" character of their activities.

The organizational structure of the shock units with their brigades and regiments had a purely military character. From the moment of their creation, under the guidance of the most reactionary officers of the Reichswehr, who joined the Hitlerites - the SA units began the preparation of the cadres for future war.

Then, after the seizure of power by the Hitlerites, the SA became a
USA-429 weapon of mass military training, and officers of the Wehrmacht, in SA uniforms, carried out in these units a purely military training of the shock units men.

The leaders of the SA well understood the position occupied by them in the realization of the Hitlerite plans of aggression, after the seizure of power.

H2745 - 0036

In this connection it is pertinent to present again to the Tribunal a short excerpt of an article published in the organ of the shock units, "Der
3050-PS SA Mann" of the 6th of January 1934:

"... the SA man, following the will of the Fuehrer, stands as guarant[illegible] of the National Socialist revolution before the gates of power and will re[illegible] main standing there for all times. For still gigantic missions await fulfi[illegible] ment which would not be thinkable without the presence and the active coope[illegible] ration of the SA.

What has been accomplished up until now, the taking over of the power in the state and the ejection of those elements which are responsible for the pernicious developments of the post war years as bearers of marxism, liberalism and capitalism are only the preliminaries, the spring-board for the real aims of National Socialism."

In the whole of the subsequent development at Hitlerism, the SA men were a loyal weapon in the hands of the criminal Hitlerite clique.

During the war, by a special instruction, the members of the SA were charged with the guard of prisoners of war and of the "workers from the east", not permitting any weakening of the brutal man-exterminating regime established for them. Members of the SA acted as guards in several "worker camps.

The SA was one of the most criminal mass organization of the Hitler party.

The criminal activity of its members, with the exception of the "union of veterans" and persons involved in the sport societies of the SA, is fully proved, by the court proceedings.

The shock units of the German fascist party, whose activity forms a greater part of the crimes of the Hitler regime, must undoubtedly be found by the Tribunal as a criminal organization.

H2745-0037

G E S T A P O .

2104-PS Gestapo was founded by Defendant Goering on the 26th of April, 1933, at the time when the latter was Prime minister of Prussia, and during the early period of its existence it was directed by him personally.

Gradually, however, Reichsfuehrer of the SS, Heinrich Himmler, centered all direction of the political police of the Reich territory, in his own hands. The law of 10 february, 1936, declared Gestapo a "special police" organ for the whole Reich. By his decree of 17 July,
2073-PS 1936, Hitler appointed Himmler the Chief of the German Police, thus making legitimate the "personal unity" already achieved by the SS and the Police on the whole.

In harmony with this principle of "personal unity" /i.e. unity of leadership/ by his very first decree on the structure of the German Police, dated 25 June, 1936, Himmler appointed Reinhardt Heydrich the Chief of the SIPO (Security Police) which already embraced within the same system both the Gestapo and the Criminal Police. Heydrich's successor, after the latter's death, was defendant Kaltenbrunner.

In 1939, in consequence of the consolidation of the leading role of SD in the general security scheme of the Nazi State and for purposes of further unification of the/ police under single leadership, a reorganization of the central security organizations took place. This resulted in the fusion of "the Chief SS security Administration with the "Chief Administration of the Security Police" into a single SS semi-governmental semi-party organization -"Reich Security Head Office" i.e. the RSHA.

Thus the Secret State Police, then briefly known as "Gestapo", and up to then existing as part of the "Chief Administration of the SIPO", became the IV Section of RSHA.

H2745 - 0038

a/ The Functions of Gestapo

The functions of the Gestapo in the general system of the security organs of the Third Reich were clearly defined by the same Heydrich in an article published in the German periodical "The German Police". While defining the role of SD as that of political intelligence within both the Nazi Party and the Nazi State whose task included the study and analysis of the political atmosphere and of the political trends and tendencies both inside and outside the bounds of the Reich for purposes of informing the Nazi leadership, the function of the Secret State Police he saw in revealing and rendering harmless those political elements within the Nazi regime which were hostile and unreliable.

The whole of Gestapo with its system of central, regional, penitenciary and other special branches and formations, was geared to the accomplishment of this cardinal point of its program.

The fulfilment of this function required most careful individual selection of the Gestapo personnel. These were selected from among the most experienced cadres of the general police and of the administration, who were already proven to be the fanatical adherents of the Hitlerite regime, and also from among the regular employees of the SD. The latter were usually given supervisory positions in the Gestapo.

The affidavit submitted by the former chief of the IV Section of the RSHA, Walter Schellenberg, establishes that 75% of Gestapo employees were also members of the SS. They had either been members of the SS prior to entering the Gestapo or else they became members as they began their careers in this punitive and terroristic organization.

The number of Gestapo employees in the period of 1943-45 reached between 40 and 50 thousand. Such staff, to quote Fouche, allowed Gesta

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"to have eyes to see everywhere and hands to seize anyone".

The criminal activity of the Gestapo did not confine itself merely to the territory of the Reich.

During the period of preparations for aggression, it was the Gestapo that received the task, jointly with the SD, to organize one of the first operational groups, the Einsatzgruppen, meant to function on the territory of the Czechoslovak Republic.

With the beginning of hostilities and in conformance with the already prepared and approved plan, Gestapo put at the disposal of the Armed Forces a certain percentage of its experienced workers to organize the so-called "Secret Field Police" - GFP. The GFP units in the army had the functions of both the Gestapo and the SIPO in the Reich and were also empowered with wide police and punitive rights directed against the civilian population and the guerilla fighters in theatres of military operations.

From the very beginning of its existence the Gestapo had wide powers in connection with extra-legal reprisal measures directed against elements "threatening" the Nazi State or the Nazi Party.

One of the main types of reprisal used against such elements was the utilization of the right of "preventive arrest" and "preventive imprisonment" which the Gestapo used widely both on the territory of the Reich and in the areas later annexed or occupied by Germany.

The places of preventive arrest were the widely known and notoriously dismal German concentration camps. Confinement to a concentration camp could take place through a simple written directive on the part of the Security Police and the SD Chief Heydrich, whose place was later taken by Kaltenbrunner, or at the order of the Chief of the IV Section of the RSHA - Muller. Frequently the order of confinement to a concentration camp

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was issued personally by the Reichsfuehrer of the SS and simultaneously Chief of the German Police - Heinrich Himmler.

Never did the victim of preventive arrest know for just how long a period of torture and suffering he was being confined, - the length of confinement depended entirely on the arbitrary will of the Gestapo. Even when Gestapo knew the length of time that it planned to keep the man in prison, it still was strictly forbidden to disclose this either to the prisoner or to his kin.

These concentration camps were the prototype of the extermination camps which materialized in the subsequent period of aggressive operatic and which generations to come are bound to remember with tremor, namely the Maidanek, the Auschwitz, the Treblinka, and many others.

As the punitive executive organization of the Nazi State, the Gest had close connections with the Nazi Party.

In the appendix to the Decree of both the Reich and the Prussian Cabinet Minister dated 20 September, 1936, it states without any ambigui that "the special functions of the Security Police demand the closest and fullest mutual understanding and collaboration... also with the Gauleiter of the NSDAP...". In studying the decree of 14 December, 1938 concerning the collaboration of the party organs with the Gestapo it is easy to see that there existed the closest contact among the various organizations of the Fascist conspirators, specifically between the Gestapo and the party leadership. Defendants Hess and Bormann were always careful to maintain close contact between the party and the Gestapo.

Defence Document No.14, p.41

1723-PS US-286

Defence Document No.15

b/ Gestapo Participation in Plans for Aggression.

As I have already stated, together with other criminal fascist organizations, Gestapo participated actively in preparing plans for the seizure of territory belonging to other states.

H2745-0041

USSR-416
Yugoslav-III

The list of 4,000 Yugoslav citizens, compiled in 1938 and seized in May 1945 in the Gestapo quarters in Maribor, testifies beyond doubt to the effect that the Gestapo participate in plans for the invasion of Yugoslavia in its own special way. We also see from the testimony of Dragonir Jovanovich, one of

Yug.-112

Yugoslav quislings, who was chief of the Serbian Police during the German occupation, that the Gestapo organizations for Yugoslavia were planned beforehand. In accordance with a pre-conceived plan the police posts were distributed among the German residents of Yugoslavia.

USSR-509

USSR Exhibit No. 509, submitted to the Tribunal by the Soviet Prosecution, likewise shows that also for Czechoslovakia, the chief Reich security branches, planned the functions of the SD and the Gestapo, long before the actual occupation of the country.

USSR-60

The report of the Czechoslovak Government points out still another type of participation of the Gestapo in planned aggression. The Administrative Headquarters of Reich Security also planted in Czechoslovakia agents for assassination or for kidnapping and whisking away to Germany of the known anti-fascists.
The facts of the Gestapo participation in Germany's aggressive plans are also confirmed by a series of documents dealing with lists of persons, personnel files, and other data regarding [illegible] important officials of the government organs and the community leaders of the Soviet Union who were to be annihilated -- long before the actual perpetration of the treacherous attack on Russia by these Hitlerite blackguards. For instance, together with the SD and the Criminal Police, the Gestapo prepared the "Special Intelligence Guide for the USSR", "The German Intelligence Guide"

USSR-3

"Lists of Persons Whose Residence Must Be Determined", and other similar intelligence reference books and lists of persons.

H2745 - 0042

H2745 -0043

The criminal activity of the Gestapo connected with plans for aggression, both within the Reich itself and in the West, has already been dealt with by my respected colleagues. For that reason I shall pass on to the subject of the Gestapo crimes in the temporarily occupied territories of the USSR, Yugoslavia, Poland, and Czechoslovakia.

c/ The Crimes of Gestapo in Czechoslovakia, Yugoslavia, and Poland.

The crimes which the Hitlerites had committed with the help of the police organizations in the temporarily occupied territories of Czechoslovakia, Yugoslavia, and Poland are of the same pattern.

The various Gestapo organs were the executive machinery which

USSR-223
PS-2233

served to realize most of these crimes.

The very first mass operation of annihilating the Polish intelligentzia, the so-called "Operation AB" was conceived by Frank, approved by Hitler, and perpetrated by the Gestapo. It was the agents of the Gestapo, who with the aid of several SS units and under the directi of the SS and Police Chief for Poland, Obergruppenfuehrer Krueger as wel as Brigadenfuehrer Strechenbach managed to exterminate several thousand Polish intellectuals, carrying out this atrocious mass operation.

USSR-335

In accordance with Frank's decree of 9 October, 1943, the notorio "Standgerichte", created "to suppress attacks on German construction in the Government-General", also consisted of Gestapo agents.

USSR-93

Again it was the Gestapo which put into effect the terrible repris against the clergy which resulted in the murder of about 700 priests and the imprisonment of about 3000 clergymen, already by January 1941.

H2745 - 0044

As it is thoroughly proven by the documents submitted by the Soviet Prosecution, the Gestapo established special mass extermination centers for the Jewish population of Poland.

In contrast to such extermination camps as Majdanek and Auschwitz, which were under the jurisdiction of the Administrative Command of the SS, the secret extermination camp in Helmno, where over three hundred and forty thousand Jews were done away with by means of dead-vans; was both founded and directly administered by the Gestapo which created for the purpose a special unit, "Sonderkommando Kulmhof

USSR-370 This Gestapo Sonderkommando was under the administrative supervision of the Gestapo Chief in the City of Lodz - Brautfisch.

It was also the Gestapo which founded Treblinka - this prototype of all subsequent extermination camps.

Eichman's Plan for the extermination of Jews in Europe with the help of special extermination camps created for the purpose by the "D" Section of SS, originated in the Gestapo where Eichman worked as subordinate of the Gestapo official Mueller.

It was the Gestapo that was responsible for the annihilation of 3,200,000 Jews in Poland, 112,000 in Czechoslovakia, and 65,000 Jews in Yugoslavia.

It was the Gestapo that introduced and practised in the occupied territories of Eastern Europe the criminal system of hostages and the principle of collective responsibility, thus arbitrarily and constantly widening the number of persons liable to reprisals. For example, it was the Gestapo that together with Defendant Frank issued the notorious decree of mass reprisals with regard to the "families of saboteurs", the decree which stated that "not only should the seized saboteurs be immediately executed on the spot but also all male kin of offenders should be immediately shot while all female relatives over 16 years of age, shall

L-37 be confined to concentration camps."

What went on in Poland does not typify the Gestapo behavior in Poland alone but applies also to Czechoslovakia and Yugoslavia.

H2745 - 0045

200,000 persons passed through the Gestapo Prison in Brno, Czechoslovakia, only during the period of occupation. Only 50,000 of these were freed. Others were killed or sent to the slow death in the concentration camp.

The order of 9 March, 1942, gave Gestapo the right to use "preventive confinement" and "protective custody".

Thousands of Czech patriots, particularly doctors, teachers, lawyer and clergymen were arrested even prior to the war. In addition lists were compiled in each region of persons liable to be arrested as hostage at the first sign of disturbance of the social order or security. Karl Hans Frank addressing leaders of the "movement for national unity", announced in 1940 that 2,000 Czech hostages - then in concentration ca - would be shot unless Czech leaders signed a declaration of loyalty.

When an attempt on Heydrich's life took place, many of the hostages were executed.

In 1939 the Gestapo called together factory directors and warehouse
SSR-60 supervisors of the various Czech industrial concerns. They were made t sign the following statement: "I am cognizant of the fact that I shall be shot immediately if the plant will stop work without a justifiable cause".

Schoolteachers in Czechoslovakia similarly had to sign declaration making themselves responsible for the loyalty of their students.

It was the Gestapo which was responsible for that unheard-of crime of the annihilation of the village of Lidice and of its population.

The Gestapo terror in Yugoslavia assumed an especially vicious character.

H2745 - 0046

The confirmation of the fact can be found in the following quotation from the Report No. 6 of the Yugoslav State Commission for the Investigation of War Crimes:

"A group of hostages was hanged in Celje (Zilli) on hooks used by butchers to suspend uncut meat. In Maribor, victims worked in groups of five, placing bodies of shot hostages into boxes and then loading them on to trucks. As each five-man team finished its job, it was shot and the next group of five persons replaced it in the loading job. This went on continuously. The Sodna Street in Maribor was covered with blood from these lorries. The given number of 50,000 victims appears too small as several hundred were shot each time, in Graz even as many as 500 being murdered at once."

USSR-304

USSR-144
USSR-145
USSR-146
USSR-147
USSR-256
USSR-323

Numerous documents have been submitted to the Tribunal, dealing with the mass shooting of hostages and signed by the appropriate regional chiefs of the Gestapo in Yugoslavia. I shall not dwell upon the details of these documents, as I suppose the Tribunal still has them clearly in mind.

d/ The Crimes of the Gestapo on the Temporarily-Occupied Territories of the USSR

The legal proceedings have thoroughly revealed those monstrous crimes which the Gestapo had committed on the temporarily-occupied Soviet territory. There the Gestapo personnel functioned either among the operational units i.e. the Einsatzgruppen, the Einsatzkommandos, and the Sonderkommandos of the SD and of the Security Police, or else it comprised the staff of the Secret Field Police (GFP), which was usually staffed with both the Gestapo and the Criminal Police employees.

As a rule, it was the Gestapo official who on all occasions

carried out themselves the inhuman "executions" and "mass actions," acting under the general political leadership of the members of the SD staff and with the assistance of officials of other polic organizations, as well as units of the "Waffen-SS", widely used these purposes.Numerous cases of mass murder and torture of Soviet peaceful citizens by the Gestapo, have been established at the Tribunal. As an example I shall content myself with the description of separate characteristic facts.

In the small town of Viasma alone,by order of the chief of the Gestapo, several thousands of peaceful citizens were killed or tortured to death. The fascist monsters not only killed their victims, but made them dig their own graves.

USSR-279 In the village Zaitchiki, in the Smolensk district, the Gestapo men drove into one house 23 old men, women and children, set the house on fire, burning alive all those who were inside.

USSR-41 In the psychiatric hospitals of Riga, the Gestapo men exterminated all the inmates of these asyluns.

As it is stated in the report of the Extraordinary State Commissi on the crimes of the German fascist usurpers in the town of Rovno, in the Rovno district, as retaliation to each act of resistance, the Gestapo men had recourse to mass murder.

When a German judge was killed by an unknown person in November 1943 in Rovno,the Gestapo shot more than 350 prisoners, detained in the town prison.

It is known from the report of the Extraordinary State Commission on the crimes of the German-Fascist usurpers, that the Gestapo men

USSR-42 used "dead-vans" for the extermination of Soviet citizens. In the town of Krasnodar and the Krasnodar region, the Gestapo men, forming part of operational groups, exterminated through poisoning by carbon oxide,more than 6.700 Soviet citizens, including women, old men and children, who were in treatment in the Krasnodar hospital as well as persons held in the Gestapo prison.

H2745 - 0047

In the outskirts of the town of Krasnodar in a big anti-tank trench were buried several thousands of corpses of Soviet citizens who had been poisoned by gas and thrown in there by the Gestapo.

USSR-1 In the Stavropol region 54 children who were seriously ill and were being treated at the health - resort of Tiberda, were poisoned by gas in dead-vans, as were also 60 patients of the Stavropol psychiatric hospital.

USSR-1 The evidence given by Kovaltchouk, who lived in the Stavropol region gives us an idea of the tortures practiced by the Gestapo-men. They interrogated at night only. These interrogations were made in a separate room, where special torture devices had been set up, amongst them chains with metal bars fixed in the concrete floor and to which the prisoner's arms and legs were chained. The arrested person was first of all stripped naked then lain on the floor, his hands and legs shackled, after which he was beaten with rubber sticks. Sometimes a wooden board was placed on the back of the victim and sharp blows were then dealt with heavy weights, on the board.

The torture chamber was arranged in such a way that when an arrested person was tortured, the other arrested people who were in an adjoining ward awaiting torture, were able to follow the scene. After the tortures the unconscious prisoner was temporarily thrown aside by the "modern inquisitors" and the next victim, in most cases already half unconscious, was dragged into the room.

These unheard of tortures, were used by the Gestapo even against women.

H2745 - 0048

I shall mention one example only. Such tortures during interrogation were most extensively used throughout the occupied territories of the USSR.

1531-PS
USA-248
L-89
USA-507

Recourse to medieval tortures during interrogations ensued on the basis of special orders emanating from the RSHA and Mueller, chief of th Gestapo. In one of those strictly secret orders the authorities gave the following instructions: "Third degree can include the following treatment: a very simple diet (bread and water); a hard berth, a dark cell, deprival of sleep, an exhausting drill, beating with birch rods".

Doc.Def. of the Gestapo No.38 p.98--101

The intelligentzia, including distinguished men of science and art who were in the Soviet territories remporarily occupied by the Germans, were likewise subjected by the Gestapo to unheard of torture and persecutions.

The persecution by the Gestapo of representatives of the intelligentzia was carried out following a plan which had been elaborated beforehand. For instance, before the German troops had occupied Lwow, detachments of theGestapo had in their possession lists of the principal representatives of the Lwow intelligentzia who were to be exterminated. Immediately after the occupation of Lwow by the Germans, mass arrests a shooting of professors,physicions,lawyers, writers and artists started to occur. Paying no heed to the human merit of their victims, the Gestapo subjected the arrested scientists to the most refined tortures after which they finally shot them.

An investigation carried out by the units of the Red army, after Lwow had been freed from the German occupants, showed that over 70 prominent scientists, technicians and artists had been killed by the Germans, bodies being subsequently burned by the Gestapo.

Fearing to be held responsible for these acts, the fascist jackals painstakingly tried to conceal the facts about the extermination of the Lwow intelligentzia.

H2745 - 0049

The Gestapo also took part in the torturing and killing of prisoner of war.

502-PS
USA-486

During the court proceedings we heard a directive of department IV of the Reich Security Head Office, dated the 17th of June 1941; it concerned the activity of detachments of the security police and SD, in the prisoner of war camps.

1665-PS
USA-244

Your Honors also know of the directive of Mueller dated the 9th of Novembe; 1941 sent to all the departments of the Gestapo and which related to the throwing away of the bodies of people who had died on their way to the place of execution.

2542-PS
USA-439

The written testimony of Kurt Lindorf, a former employee of the Gestapo, is at the disposal of the Tribunal. This document concerns the execution of Soviet political commissars, and also deals with an order of the chief of the security police and SD transmitted to the local organs of the Gestapo concerning the sending of certain categories of escaped officers from prisoner of war camps, to the Mauthausen concentration camp for the carrying out of the "Kugel" (bullet) action.

1514-PS
USA-491

The Tribunal is acquainted with the order of the commander of the 6th military district, dated July 27th, 1944, stating that recaptured

553-PS
USA-500
RF-363

escaped prisoner of war lose their rights and are to be turned over to the Gestapo, as well as with Keitel's order to the armed forces, dated August 4th, 1942, which stated that the adoption of action against separate paratroopers and groups of paratroopers belongs to the jurisdiction of the SD and the Gestapo.

1472-PS
USA-279

The Gestapo actively cooperated in the deportation to German slave labor of thousands of peaceful citizens from the territories temporarily

1063-PS
USA-219

occupied by Germany and inflicted cruel repressive measures upon these

1573-PS
USA-498

persons on their arrival in Germany. In a like manner Mueller, the chief of the Gestapo, in his telegram of 16 December 1942 stated that the Gestapo could arrest some 45.000 Jews to serve as workers in the concentration camps.

H2745 - 0050

3360-PS
USA-499

In the directive of December 17, 1942, Mueller writes of this in connection with 35.000 Jews.

In the secret order of July 18th, 1941, Mueller instructed the

3012-PS
USA-190

Gestapo about the indispensable measures to be taken in order to prevent agitation among foreign workers.

2615-PS
Transcr.
morn.sess.
2.1.46
p.48

The criminal activity of the Gestapo is mostly concerned with the extermination of Jews.

The affidavit of Wilhelm Goetl dated November 7th 1945 establishes the fact that the Gestapo exterminated some 6 million Jews.

In the reports of the Extraordinary State Commission set up for the investigation of German-fascist atrocities on the territory of the USSR and in other documents as well are brought forward innumerable facts of torture, of different outrages and mass murder of Jews by the Gestapo-men.

The Court proceedings have fully confirmed the submitted charge against the criminal activity of the Gestapo.

As an organization of mass sanguinary terror, the Gestapo must be recognized as a criminal organization.

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THE SECURITY SERVICE - "SD".

The Security Service or "Sicherheitsdienst" was usually referred to in the official police documents under the abbreviation of "SD". It originated as a mutual organization of the Party and the SS which was to be a secret intelligence organization of a conspiratorial and strictly undercover nature. The SD, as well as the SS, was organized by Himmler.

SD was that secret organization within the SS system which, after the seizure of power by the Hitlerites, had most speedily merged with the police agencies and had promptly installed into the leading secret police positions the cadres of both the SA and the SS. It had played a leading role in the German scheme of political intelligence and "preventive extermination" of the undesirable elements both before and after the formation of the RSHA.

SD stood particularly close to the Central Headquarters of the criminal Nazi conspirators i.e. the Party Leadership. And that is why the SD participated most actively in planning those police activities which invariably accompanied all Hitlerite plans of aggression.

As will be shown below it was the SD which created the first "Einsatzgruppen", supplied these predatory organizations of German fascism with executive personnel, and organizationally helped with atrocities later committed in the occupied territories of Poland, Yugoslavia, the Soviet Union, as well as in other countries.

Attempting to exempt this criminal organization from the responsibilities with which it is charged, the Defense started an argument about the meaning of the very term "SD". I am referring here to the assertion on the part of the Defense that the SD was merely the third section of the RSHA (AMT III, headed by SS-Gruppenfuehrer Otto Ohlendorf, the war-time chief of the Einsatzgruppe "D" which committed many crimes in the southern regions of the USSR where according to Ohlendorf's own testimony, it destroyed 90.000 peaceful Soviet citizens).

Transcr. morn.sess. 13.I 46 p.5

H2745 - 0052

The reasons for the Defense starting this terminological discussion are quite clear. The Defense endeavoured to support Kaltenbrunner's version of SD as an organization whose functions were strictly limited to the intra-Reich information services and which remained entirely alien to all police functions, and according to Kaltenbrunner, it even acted "as a critic in the Fuehrer's State."

The Defense began this argument so that only the most apparent part of the criminal activity of the SD would be revealed while the rest could hide behind such terms as "general information services of trends and tendencies among the different circles of German society". All the political and the police functions of the SD, as leading organization of the Police-SS machinery, would stand unrevealed.

In reality, however, SD was a widely spread espionage organization of German Fascism, which actively contributed to the realization of the criminal plans of aggression and operated both inside and outside Germany, in the occupied regions and abroad.

Along with the Gestapo, it was the SD cadres who formed the backbone of Einsatzgruppen, where it was always the SD personnel that occupied leading posts.

The functions of SD can be subdivided as follows:

1/ The "General Information" function which covered, as shown by the SD official documents, the "Lebensgebiete" or spheres vital to the German Reich, all governmental offices, and all the social circles of fascist Germany.

2/The "Special Function" referring to personnel card files and lists of persons, primarily in countries which were to be invaded. The card files and lists contained names of people who were to be subjected to the "special regime"i.e. either destroyed or confined to concentration camps.

3/The function of supplying personnel to those criminal organizations which were directly concerned with the realization of the Hitlerite plans for the annihilation of the politically undesirable elements and of the intellectuals in the occupied territories and which were conducting the bestial acts of terrorism and execution.

H2745 - 0053

H2745 – 0054

The entire staff of SD consisted of SS men. This is understandable, considering that SD was an offspring of the SS and up to the very last moment was referred to as the "SD of the Reichsfuehrer SS".

The many-branched SD system included the following: The III Department of RSHA (i.e. Amt III which consisted of the Domestic and Occupied Regions Political Intelligence Service); the VI Department of RSHA (consisting of the Foreign Intelligence Services and headed by one of the closest associates of Himmler -- Walter Schellenberg whose testimony is well known to the Tribunal); and the VII Department (Amt-VII), sometimes called the "Department for Ideological Warfare". The latter also included a number of very important auxiliary branches which made up the analysis organizations for data resulting from both foreign and domestic espionage activities of the SD.

In order to refute the statements of the Defense I should like to refer to one of the documents showing the actual position of the SD in the police and SS scheme of Hitlerite Germany.

USSR-509 I am speaking now of the document entitled:"Utilization of SD in case of emergency in Cechoslovakia". The document is marked: "Secret - Of State Importance" and is dated June 1938 i.e. more than nine months before the acutal seizure of Czechoslovakia. It was found by the Red Army among the Berlin files of the SD and has been submitted to the Tribunal by the Soviet Prosecution.

The contents of the document leave no doubts first, as to the facts of the active SD participation in the preparation and realization of the criminal plans of aggression, and secondly, in the fact that it was specifically the SD that both initiated and organized the Einsatzgruppen.

I quote some excerpts from this document. It is stated there that:" ...

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USSR - 509

"The SD should be held in readiness to act in case of complication between the German Reich and Czechoslovakia. The SD should follow, whenever possible, on the heels of the entering troops and take over duties similar to those it had in Germany, insure the security of the political life and as far as possible the security of all enterprises indispensable for National as well as for war economy."

The whole territory of Czechoslovakia, in accordance with the territorial structure of the SD in Germany, was, beforehand separated into important (Oberabschnitt) and small (Unterabschnitt) territorial units, and for each of those, special Einsatzgruppe and Einsatzkommandos were prepared and staffed accordingly. In the text of the document we can read that a system of Oberabschnitte for Prague, Bohemia, Moravia, Silesia, Bachtelle, and others, was prepared and planned.

The staffing of the Einsatzgruppe and Einsatzkommandos was entirely a matter of the SD. In the text of the document we can read in this connection:" the staffing of the SD agencies could be conducted in consideration of the following:
1. the requirements of the SD itself. 2. the requirements of economy.

An entire program for training members of the Einsatzgruppe recruited from collaborators in foreign countries and Sudet-Germans, was prepared. The utilization of "suitable persons" of German origin living in Czechoslovakia was equally foreseen, and special mention was made of the point that:" one must consider that in spite of all precautionary measures we will not have many such people at our disposal as under certain conditions a considerable number will be arrested, deported or killed."

The Einsatzgruppe organized and prepared in German territory were to be concentrated near the German-Czechoslovakian border in order to move into Czechoslovakian territory jointly with the invading armies. In this connection the document says:

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"2. As soon as any district is free from the enemy, i.e. when occupied, the allocated groups are immediately sent to the district administration center, following the leading troops. At the same time, definite groups appointed for the next regions to be freed from the enemy advance".

For refuting the statement of the Defense concerning the relations between the SD and the Gestapo, the fifth part of the document presents a considerable interest, this passage being specially dedicated to the delimitation of the activities of t. SD and the Gestapo.It sais there:"Measures in the Reich are

USSR-509

carried out under the direction of the Gestapo." The SD assist them. Measures in the occupied regions are under the leadershi of a senior SD leader. The Gestapo officials are appointed to certain special purpose staffs."

Therefore there is no doubt possible that the members of the SD had the leading role in the activities of the Einsatzkommandos realizing directly the tasks assigned to them by their Reichs-fuehrer SS, dealing with the extermination of the Czech patriots, the annihilation of the intellectuals, and the suppression of any kind of National or liberating movement in the occupied country.

We have to pay especial attention to the fact that the members

USSR-509

of the SD specially detached to the Einsatzgrupps, had to establish (as we can see from paragraph 7 of the document) a liasion with the units of the Armed SS Forces, or with the SS units of special purpose called Death Head. The Einsatzkommando specially formed by the SD before the invasion of the Czechoslovakian territory, had to accomplish in Germany a preparatory criminal task. They had to prepare the so-called "M-index Card." This index cards were prepared in double copy for each district. The names of any person who for one or the other reason was to be eliminated were indicated on these "M-Index Cards".

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The question of human life and death was decided by a simple note entered in the index cards by an agent of the SD.

In the document quoted by me it said in this respect, "c. The card
USSR-509 index, when filled in, must bear the references: Arrest, dismissal, removal from office, observation, confiscation, police surveillance, deprival of passport."

The compiling of the card index and preparation of all kinds of reference books in which were entered the names of those people who captured in the temporarily occupied territories, were to be eliminated, was one of most essential tasks of the SD. The direct elimination was realized later by the Gestapo or by the special duty SS units, by the Zone Commander, and the regular police.

In preparing the aggression against the Soviet Union, the members of the SD carefully prepared a great number of reference books and specilists in which were entered the names of the representatives of the Soviet intellectuals and political leaders, who were to be exterminated in accordance with the inhuman instructions of the Hitlerite criminals.

USSR-3 Appendix number 2 to Operational Order Number 8 of the Chief of the Security Police of the SD, dated 17 July 1941, said: that long before the beginning of the war against the Soviet Union the security service had compiled the "German Research Book" ,"lists of the addresses", and a "special Research Book for the USSR", where all the names of "Soviet Russians considered as dangerous" are entered.

We know from the same instructions of Heydrich what the intentions of the Hitlerite criminals in the respect to those "dangerous Russians", were.

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All of them and without any judicial sentence whatsoever were to be exterminated by the Sondercommandos in conformity with instructions #8 and #14 of the main office of the Reich dated the 17 of July and 29 October 1941.

The same criminal task was accomplished by the SD before the invasion of Yugoslavia. The Soviet prosecution presented to the Tribunal a "Research Book" prepared by the so-called German Balkan institute: "Sued-Ost Deutsches Institut", pertaining to the SD. This book contained the names of over 4000 Yugoslav citizens who were to be arrested immediately after the invasion of Yugoslavia. This book, which was prepared by the SD, was transmitted to the executive police; i.e. the Gestapo which was to operate these arrests.

USSR-416
Y-101

This book was found in the registry office of the Gestapo at Maribor and bore the following stamp made by a member of the SD: "The persons mentioned in the text are to be arrested and the RSHA is to be informed immediately about the completion of the assignment".

This institute of the SD carried on a special and undermining activity by preparing the fifth column agents in Yugoslavia. A member of the SD the dean of the Graz university, Hermann Ibler, prepared in connection with this a special work entitled "Des Reiches Suedgrenze" which bears the stamp "strictly secret" and includes a list of the fifth column agents in Yugoslavia.

It was the SD who was occasioning political provocation abroad. The former Chief of the Security Police and SD, Kaltenbrunner had to confess to that, when interrogated by the representative of the Soviet prosecution. He couldn't even deny his signature on the letter to Ribbentrop, concerning the allocation by the Ministry for Foreign Affairs of one million tumans for bribing the voters in Iran.

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The SD members understood perfectly the part assigned to them in the occupied territories in the realization of the inhuman plans of the
USSR-522 Hitlerites, concerning the extermination of the enslaved nations. From this point of view a German document, captured by the units of the Polish Army in the building of the SD, at Mogilno (Poland), and presented to the Tribunal by the Soviet prosecution is most characteristic.

In this letter addressed to the agents of the SD, a certain Blockstelle Hauptsturmfuehrer SS informs them of Himmler's speech of 15 March 1940 in which the latter requested the Commanders of the concentration camps situated in Poland to first utilize the qualified Polish workers in the military industry of the concentration camps, and later to exterminate all those Poles. This Hauptsturmfuehrer SS from Mogilno requested, therefore, all his trusted agents of the SD to prepare the lists of the Poles they considered as dangerous in order to exterminate them later on.

The SD was one of the most important links in the inhuman police machinery of the SS and German Fascism. It was an organization of spying and information spread over the whole territory of the "old Reich", as well as throughout all of the temporary occupied areas and countries. At certain moments the members of SD initiated the most cruel police measures of the Hitlerites.

For this reason, the Soviet prosecution supported by irrefutable evidence consider that the whole system of the SD is to be declared criminal.

H2745 - 0060

THE GENERAL STAFF AND THE HIGH COMMAND OF THE ARMED FORCES

In the course of the present trial, there have been many attempts on the part of several of the defendants, the defense attorneys, and those witnesses for the defense who were generals in Hitlerite Germany, to represent both the German High Command and the General Staff as organization whose activities were guided by the sole principle of "fulfilling their soldierly duty."

The higher echelons of the German war machine, according to this concept, were far removed from criminal politics of Hitler government, took no part in political decisions, and confined themselves entirely to the fulfillment of orders emanating from the Commander-in-Chief and dealing with purely military matters.

Opinion was expressed to the effect that the German General Staff, in view of the nature of the military structure then existing in Hitler Germany, was no more and no less than an auxiliary organization dealing with purely technical matters.

Finally, attempts were made, and not once, which is also quite understandable, to represent the Army High Command as something quite distinct and not having anything in common with the activity of the German police organizations and of the SS.

Practically every student of European politics after the First World War knows that the generals and officers of the Kaiser's army were only too ready to repeat the game that they had once lost.
For the German military defeat they blamed everything and everybody -- except themselves. Meanwhile they worked on creating undercover military organizations, dreamed of revenge, and appeared prepared to offer their honor and their swords to any political adventurer who would not stop before starting another world war. It was amidst this type of new "tradition" that there grew up in Germany the present officer generation. And neither was it accidental

H2745 - 0061

that the future leader of this generation, Adolf Hitler, made his political entrance out of nowhere with the moral and financial support of the Reichswehr.

With few exceptions, it was the military caste that gave Hitler support, and when he seized power, rearmament began almost immediately. The haughty Prussian generals bowed to Hitler, the corporal, because they knew that Hitler meant war.

Fieldmarshalls Brauchitsch, Milch, Mannstein, and others arrived here under the Allied guard to give false testimony of their own positions to the International Military Tribunal.

And so we saw a peculiar spectacle. Wolves became sheep. I do not know just what kind of naive people they expected to find here, Brauchitsch particularly, when he presented himself here as a confirmed pacifist. If we allow ourselves to believe him, we would then also have to believe that he, the Commander-in-Chief of the German Land Forces (the OKH), knew nothing whatever of Germany's aggressive plans, nothing of the coming invasions of Austria and Czechoslovakia, but was persistantly and continuously persuading Hitler not to fight.

By such awkward defense the witness could only deceive himself.

I shall allow myself to stop only briefly on evidence disapproving the tricks and the maneouvres of defense whose main aim has been to masque and diminish the scope of the criminal activity of the high German military organs.

A. Crimes Against Humanity.

Evidence submitted to the Tribunal proves beyond doubt that both the General Staff and the OKW were fully informed of the criminal intentions for aggression on the part of the Hitlerite Government, that the

shared these plans, and participated actively in both their preparation and their realization.

The aggressive anti-social plans of the Hitler conspirators became known to every German as soon as Hitler's "Mein Kampf" appeared. These were widely propagandised and publicised from day to day and month to month.

These plans received immediate recognition from the German military leaders who subsequently put both their experience and their knowledge at the service of the Hitlerite state.

I do not plan, however, to delve deep into the history of the Hitlerite state and its military machine to prove just when and how the subsequent criminal activity of the leading German military organs began.

I want to mention only that evidence which refers to the beginning of the war.

L-79 Already on the 23 of May, 1939, at the staff meeting taking place in the new Reich Chancellery, Hitler said to his top military leaders:

"Danzig is not the point. What I am talking about is the expansion of our 'Lebensraum' to the East. "Thus the question of whether Poland is to be spared - automatically disappears and there remains only the decision to attack Poland at the first opportunity".

While expounding his military and political plans to his senior officers and generals at the staff meeting of August 22, 1939, in

1014-PS Obersalzberg, Hitler stated:

"In the first place there is the annihilation of Poland ... if there also will be war in the West, then the primary task is to destroy Poland ... I shall provide some excuse for beginning the war which will serve propaganda purposes, whether it is true or not is unimportant."

789-PS
USA-23 At the conference of the commanders-in-chief which took place on the 23 of November, 1939, Hitler stated as follows while talking to his closest military advisors:

H2745 - 0062

H2745 - 0063

"Basically I did not organize the armed forces in order not to strike.
PS 789 The decision to strike was always in me. Earlier or later I wanted to solve the problem. The situation is necessarily such that at least for the moment action in the East is out of question".

Is this not evidence that Hitler made no secret of his criminal plans, so far as his top military officials were concerned?

Even more convincing in this respect are the operational papers of the German Command which quite cynically describe the criminal aims of aggression on the part of the Hitler government.

In Hitler's directive of the 30 May, 1938 dealing with the execution of the plan "Gruen" for the invasion of Czechoslovakia, it is started:

"It is my unalterable decision to smash Czechoslovakia by military action in the near future."

PS-388 "From a military as well as a political standpoint the most favorable course is a lightning-swift action as the result of an incident, through which Germany is provoked in an unbearable way and for which at least part of the world opinion will grant the moral justification of military action."

Or there is also the directive of the 27 of March, 1941, regarding the invasion of Yugoslavia which provides that:

PS-1746 "Even if Yugoslavia will declare its loyalty to us, we should still consider her an enemy and subsequently beat her down at the first opportunity".

This cynical frankness reaches a climax in the German operational material dealing with plans for attacking the Soviet Union.

In the directive of the OKW of the 13 March 1941, with regard to "special regions", long before the attack on the Soviet Union, it was sta

-47-PS
USA-135

"The Russian territory which is to be occupied shall be divided up into individual states with governments of their own, according to specia orders, as soon as military operations are concluded."

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USA-554

In the "Instructions on the use of propaganda in the "Barbarossa region" published by the OKW in June 1941, it was foreseen that "for the time being it is not suitable that the aims of our propaganda should be the dismemberment of the Soviet Union."

USA-31
-46-PS

Finally the document No.21 dated 18 December 1940, known under the code "Plan Barbarossa", stated:

"The final aim of the operation is to fence oneself off from asiatic Russia following a general line Archangelsk-Volga".

The former Fieldmarshal of the German Army Friedrich Paulus gave the Tribunal an exhaustive explanation of this "final aim" persued by Hitlerite Germany in its war against the Soviet Union, and which was know to the entire High Command of the German armed forces.

A no less convincing evidence on this matter was given to the Tribunal by my American colleague, who presented an order of Field-marshal von Manstein, former commander of the XI German army. In this order, von Manstein giving an account on the political aims of the war against the Soviet Union in accordance with Hitler's instructions, informs his subordinates in a non equivocal manner that the aim of the attack on the Soviet Union is the destruction of the political system of its government.

It is strange therefore to hear now the statement of the Hitlerite General von Manstein that he was only a soldier, who was not informed of the policy of the Hitler government.

This order not only shows that the generals were acquainted with the political aims of the war but also that they approved them.

H2745 – 0064

And it could not be otherwise. What could Hitler and his clique have done if the military specialists, the generals of the German army did not approve his plans.

B. The direct participation of the German General Staff in this crime.

A specific structure in the military apparatus really existed in Hitlerite Germany. Simultaneously with the OKW functioned the General Staff of the land forces, as well as staffs of the air forces and naval forces.

The staffs of individual services worked out those parts of the general aggressive plans of Hitlerite Germany, which were in the sphere of their competence, and the OKW coordinated and combined this work.

In as much as the decisive part of the realization of the aggressiv plans lay upon the land forces, with their numerous and powerful armored forces, the outstanding position in the preparation of aggressive measure of the Hitlerite Government was naturally held by the German General Staf

Therefore, the existing structure of the military apparatus of Ger by no means excluded, but on the contrary foresaw in the elaboration, pre paration and execution of the criminal aggressive plans of the Hitlerite Government, a most active role of the General Staff.

So as to characterize the practical role of the German General Staf in the elaboration and preparation of the aggressive plans of Germany, I shall refer to some facts:

I shall quote again the statement of Field-Marshal Friedrich Paulus which he confirmed in this Tribunal.

USSR-156 Paulus stated: "When on September 3, 1940 I took office in the OKH, among other plans, I found there a still incompleted preliminary plan of the attack on the Soviet Union, known under the conventional name of "Barbarossa".

H2745 - 0065

The working out of the preliminary "Barbarossa" plan began in August 1940 and ended by the carrying out of two military maneuvers (Kriegs-spiele) at the Headquarters of the OKH at Zossen, and under my directions the result of these maneuvers, which served as a basis for the elaboration of directives for the strategical deployment of the troops of the "Barbarossa" plan, showed that the foreseen disposition on the line Astrakhan-Archangelsk would lead to the complete defeat of the Soviet State."

Is it not clear now to anyone that the German General Staff, as well as the OKW, were the creators of the criminal "Barbarossa" plan.

A role not less active, in the preparation of other aggressive plans of Hitlerite Germany, was that of the German General Staff.

Walter Warlimont, a former German general and successor of the defendant Jodl, in his testimony of November 13, 1945, declared:

SSR-263 "This instruction (variant "Barbarossa") was established in same way as other similar instructions. First a report was made to Hitler by the Commander in Chief of the land forces, on the operational plans."

There can be no doubts that in the elaboration of the criminal aggressive plans, the German General Staff, as well as the OKW, played a decisive role.

B. Military crimes and crimes against humanity.

The German armed forces and their military leaders perpetrated, independently or in cooperation with the German police agencies, innumerable crimes in the occupied territories.

A simple enumeration of documentary evidence disclosing crimes perpetrated by the German-Fascist usurpers in the occupied territories would need too much time.

H2745 - 0066

H2745 - 0067

Therefore I shall refer only to separate evidence which proves that the military crimes and crimes against humanity were systematically perpetrated by the German armed forces on a mass scale, and were organized beforehand and involved all ranks of the German war machine - from field-marshal to private.

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USA-554

I would be sufficient to recall the instruction of the defendant Keitel of May 13, 1941, "of the application of military cognizance in the "Barbarossa" region and the special actions of the troops", which received orders to apply "the most drastic measures", in view of which the German officers had the right to execute without trial, and by which an impunity was established for crimes committed by German military personnel against the peaceful population.

389-PS
(R-98)
RF-271

Or the instruction of the same defendant Keitel of September 16, 1941, by which he ordered the German troops "to have in view that in the countries which are concerned, human life has absolutely no value and that an intimidating action is only possible by use of unusual cruelty".

The following orders of the OKW may also be recalled concerning the extermination of Soviet commissars taken as prisoners of war, of the brand of Soviet prisoners of war, as well as the orders of the defendant Goering on the extermination of captured allied pilots, of the plundering of occupied territories and the slave deportation of peaceful population to Germany, the order of the defendant Doenitz forbidding to save men from sinking vessels, the order of the former Field-Marshal Reichenau "On the conduct of troops in the East" and many others.

All of these have now aquired a common meaning.

These criminal orders as some of the witnesses, such as von Brauchit and von Manstein, tried to establish here, did not remain only on paper. They were enforced with German punctuality.

Hitler's totalitarian State widely used the interaction of its separate links.

And it was not without purpose that special attention was given f the establishment of a connection between the military apparatus Hitlerite Germany and other German State organizations.

The OKW was represented in many German Ministries by so-called liaison officers, and at the same time many ministries had their representatives in the OKW.

Such a connection especially existed between the activities of the German military and civil authorities in the occupied territories.

But if confronted with the proofs, the Hitlerite military leader are obliged to acknowledge their connection, for instance with t Ministry of Foreign Affairs or the Ministry of the Occupied Territories in the East, they flatly refuse to admit their connec tion with the German State police and the SS.

This is easy to conceive. The fact alone of such a connection wou disclose their partici tion in numerous crimes in the occupied territories.

Therefore I consider myself obliged to prove the existence of a criminal connection of the German military command and the German Secret State Police with other police agencies.

This connection arose long before the attack of the Soviet Union by Hitlerite Germany.

447-PS
USA-135

In the instruction on "special regions", issued by the OKW on March 13, 1941, and signed by the defendant Keitel, the necessity was foreseen of coordinating the activities of the SS Reichs- fuehrer and the army command in the occupied territori s.
The witnesses Walter Schellenberg and Otto Ohlendorf, former chiefs of the Reich Security Head Office stated in their evidence at this Trial, that already in May 1941

H2745 - 0068

An agreement was concluded between quartermaster general Wagner, representative of the OKH, and Heydrich chief of the Security Police and of the SD, for the execution of instructions of the OKW, which foresaw in the German armed forces the organization and form of activity of Special Security Police "action-groups" and S

During the cross-examination at the trial of the witness von Brauchitsch, the latter confirmed that he knew of such appropria talks between Wagner and Heydrich.

The presence and character of the activity of the Security Polic action-groups and SD in the German armed forces in confirmed by several documental evidences.

L-180
USA-276

In the report of October 15, 1941 of the Security Police action-group A, it is stated: -

"Our task was to establish personal contact with the commanders of the Armies and with the commander of the army of the rear area. It must be stressed from the beginning that co-operation with the Armed Forces was generally good, in some case for instance with Panzer-Group 4 under Col.Gen.Hoeppner, it was very close, almost cordial." And further:

"At the start of the Eastern Campaign it became obvious with regard to the Security Police that its special work had to be done not only in the rear areas, but also in the areas of the front."

1104-PS
USA-483

The letter of November 1941 of the General Commissar for Bielo-Russia, the henchman Kube, in which even he expresses indignation against the criminal activities of the police in the town of Slouzk, it is apparent that the second police battalion, which shot masses of Jews in the town, was directly subordinated to the military command.

H2745 - 0069

A sanguinary trail leads from the orders of Goering, Doenitz, Jodl, Keitel, from the criminal agreements of Wagner and Heydrich, from the orders of Reichenau and Manstein, to the innumerable crimes of the German troops and the action-groups of the Security Police in the occupied territories.

The blood of millions of innocent victims stain the hands not only of the German soldier Knittel and Obergefreiter Kurt but also those of the Field-Marshals of the German army.

The Hitlerite war machine headed by the High Command of the Armed Forces and the German General Staff, was the decisive force, with the aid of which were plotted and carried out all the criminal aggressive plans of the Hitlerite Government, all the war crimes and the crimes against humanity.

The German High Command and the German General Staff were therefore one of the most important organizations for the execution of the criminal conspiracy of the Hitlerite clique, and the higher military authorities of the German armed forces were active participants of this conspiracy.

As a result of the present proceedings I consider that the criminal character of this military organization is fully proved.

H2745 - 0070

H2745 - 0071

I pass on to the last of the organizations indicted as criminal to the Reichscabinet which occupied a particularly prominent position in the system of the fascist dictatorship.

Appendix "C" to the Indictment includes a detailed enumeration of the personalities who made up the government and who, for this reason, are held responsible for the perpetration of the Hitlerite crimes which are specified in counts one, two, three and four of the Indictment..

During nine months the Tribunal has examined the evidence upon the monstrous crimes of the Nazis. We have heard here of the crimes of the police and of the Wehrmacht, of the SS and of the Gestapo, of the Reichs-Gauleiters and of the Reichs-Commissars in the occupied territories, of various Fuehrers and Leiters. And we can most categorically declare that the homogeneity and systematic organization of the crimes, the uniformity of the means and measures used to commit them testify to the fact that these crimes were directed by and carried out on the directives of a single issuing center. These innumerable and varied crimes are traced back to the gang of fascist conspiritors and to the criminal Hitlerite government.

Seen in this light, the declarations of the Counsel for the Defense and of the defendants to the effect that, under Hitler, the Counsil of Ministers was a mere technical apparatus deprived of any real power, are completely unconvincing. Actually not only did the ministers decide themselves all questions coming within their jurisdiction but they were at the same time the executors of Hitler's will. It is also true that it was Hitler who made the final decision pertaining to all official and unofficial discussions and meetings. At the same time, however, one cannot forget the fact that not a single minister in any other government enjoyed such independence in deciding questions coming within his jurisdiction as did the ministers of the Hitlerite government. Every single one of them

H2745 - 0072

was a fuehrer in his particular field, and by his advice, by the material presented, by drafts of laws and directives wielded a most tangible influence over all decisions taken by Hitler in connection with questions concerning the activity of several departments. Then again, one cannot discount the fact that Hitler's will fully corresponded to the personal points of view and convictions of his ministers. They were necessary to Hitler just as much as he was necessary to them. Goering, Frick, Rosenberg, Neurath, Speer, Funk and others are inconceivable without Hitler just as Hitler is inconceivable without them. Under Hitler's leadership they actively participated in the planning of the fascist conspiracy, and every one of them, enacting the role allotted to him in the general criminal plan which defined the activity of litterally all the departments, wittingly and actively carried out that plan.

As they were the leaders of all the corresponding central departments of Hitlerite Germany - of Finance, Economics, Justice, Communications, etc. - they held in their hands, from 1933 to 1945, full legislative, executive, administrative and political powers. And they used this power in order to put into effect the criminal plans for seizing foreign territories, for annihilating races and peoples and for establishing world domination. And in order to facilitate the execution of these criminal plans they first of all seized the power over the German people and the German State, and supported this power by draconic measures.

The wave of fascist terror swept over entire Germany even before Hitler's accession to power and stiffened conspicuously after Hitler became Chancellor in 1933 and when the Defendants Frick, Papen and Neurath became ministers in the Reich's Government. Taking advantage of their presence in the government, these fascist ministers fully legalized the terror wrought by the shock units of the Nazi Party and prepared the coming seizure of power, using to achieve this aim the burning down of the Reichstag, which had been organized by the Defendant Goering.

H2745 - 0073

Immediately after the seizure of power by the fascist - on the 24 March 1933 a law was issued "on the Defense of the People and the State", giving legislative power to the Reich Government in addition to the Reichstag.

Transcr. aft.sess. 22.XI 45 p.17-18

On May 26, 1933, the Reich Government issues the decree on the confiscation of the property of the communist organization, and starting from June 14 of the same year the property of the social-democrate organization is confiscated as well. On December 1, 1933, the criminal Reich Government published, the law "on safeguarding the Unity of the Party and the Government" which bore the signature of Hitler and of the Defendant Frick.

Transcr. aft.sess. 22.XI 45 p.23-25

Pursuing the liquidation of the democratic institutions, the Reich Government by virtue of the law "upon the Reconstruction of the Reich" of 1933 cancelled all democratic elections in all central and local representative institutions. The Reichstag is changed by the fascist into an institution devoid of any real meaning.

In virtue of the law of the 7th April 1933 and others, all civil servants, amongst them judges, who had been at any time, noticed as having anti-fascist inclinations of who belonged to leftist organizations, as well as all Jews were dismissed from their offices and replaced by fascists. Pursuantly to "the basic principle of German law on Civil Officials" of 26 January 1937 "the bond between a civil servant and the party is the prerequisite to his being appointed ... the civil servant should be the executor of the will of the national-socialist government, led by the NSDAP".

Doc.Def. No.28 page 59

Completely fascistifying the government machinery in Germany enabled the Hitlerite conspirators to utilize it at a later period as an obedient tool for the perpetration of their criminal plans.

H2745 - 0074

The Hitlerite Government introduced a number of measures designed to implant fascist ideology and mislead the people of Germany.

On the 1st of May, 1934, the Ministry of Education was created. Its function was to educate youth in the spirit of militarism and racial
2078-PS hatred and to make the German youth conceive reality from the distorted viewpoint of fascist dreams.

Similar tasks were allotted to the Reich Youth Leader and to those
USA-668
2229-PS organizations which were subordinated to him.

The principle of personal inviolability and the freedom of the press and of the speech were abolished.

Also abolished were the free trade unions, their property confiscated, and the majority of their leaders jailed.

In order to suppress by terror every kind of resistance the Government founded the Gestapo and the concentration camps. Hundreds of thousands were arrested and destroyed without any trial or concrete evidence, merely on the suspicion of having anti-fascist tendencies.

The member of the Reich Government, Goering, stated unambiguously
2324-PS in 1934: "We must be merciless towards the enemies of the state. We have
USA-233 created the concentration camps for the purpose and had propmptly imprisoned there thousands of communists and social-democrats."

Defense is attempting to prove that members of the Government did not participate in the issuance of the shameful Nurnberg laws and in the racial discrimination against the Jews. Nevertheless there were special instructions to two members of the Reichsregierung in the Nurnberg Laws, namely Hess and Frick, to elaborate and promulgate additional decrees implementing the laws. And such decrees were elaborated and promulgated by Hess and Frick.

The same Frick, together with Funk, and acting on Goering's instructions, issued on the 3rd of December, 1938, a decree concerning "the liquidation of Jewish property" as well as a series of others.

It is true beyond doubt that there is not a State where all the ministries participate in the elaboration of all laws. I admit, therefore, that certain of the ministries in Hitlerite Germany have not participated directly in the preparation of the Nurnberg laws. Nevertheless, in any state the Government is usually fully responsible for all the laws promulgated during the period when this particular government was in power

The Tribunal had opportunity to analyze in detail the whole activity of the Hitlerite Government directed at the preparation and the initiation of aggression. It is not necessary to mention again the invasion of Austr and Czechoslovakia in 1938-39 the attacks on Poland, Yugoslavia, and the Soviet Union. Numerous documents submitted to the Tribunal confirm the fact that the Hitlerite Government did everything possible to retain the invaded territories of France, Poland, Czechoslovakia, Yugoslavia, Norway, Poland, Belgium, and other countries as well as the territories of the USSR. It is only because of the powerful blows of the Red Army and the Armies of the Allies that it was impossible for the Fascist conspirators to realize their predatory plans. The activities of the Hitlerite Government had brought on the war which took millions of human lives and caused inestimatable losses and immeasurable suffering to other nations.

The Hitlerite Government is also responsible for all the war crimes and the crimes against humanity committed by the German troops and the German authorities during the war. The great deal of evidence submitted to the Tribunal proved clearly that Hitlerite Germany prepared itself for the conduct of the most ruthless war in full contempt of the laws and customs of war.

H2745 - 0075

H2745 - 0076

The war crimes and the crimes against humanity were committed not only against the armed forces of the peace loving nations united against fascist aggressors but also against the innocent civilian population. Long before the treacherous aggression against the Soviet Union took place, the Government of Hitlerite Germany carefully laid plans for the monstrous extermi-

USSR-3 nation of the most developed regions of the Soviet Union.

The report published by the Extraordinary State Commission concerning the German Fascist Atrocities in Novgorod, Stavropol, Orel, Stalino, Smolens Kiev, and other towns, has proved the existence of a carefully planned and intentional program of mass extermination conducted by the German invaders against Soviet prisoners of war and Soviet civilians.

The defendants, members of Hitlerite Government, have all hypocritically claimed never, until the present trial, to have heard of the monstrous atrocities of the Hitlerites in the concentration camps, or of the savage behavior of the SS men and of the German authorities in the temporarily occupied territories. These claims are thoroughly false.

Every German knew something of these facts. The radio stations of the whole world had breadcast them.

USSR-51 The revolting atrocities committed by the German authorities against the Soviet prisoners-of-war and the peaceful Soviet citizens were brought to the attention of the whole world in the official notes of the People's Commissar for Foreign Affairs of the USSR, W.M.Molotov, 25 November 1941 and 27 April 1942. But in spite of the fact that the violation of the most elementary principles of international law and of human morality committed by the German Army and the German authorities were made known to the Reich Government by the above mentioned documents, this criminal violation of the laws and customs of war continued also in 1943 and 1945. It is clear therefore, that all those crimes were committed with full knowledge and on the direct instructions of the Hitlerite Government.

PS-73
USSR-361

Did not Rosenberg receive a service note from Lammers mentioning that the convention of Geneva is not valid for Soviet prisoners of war?

Was a circular of the Party Chancellery signed by the defendant Bormann and including instructions on the cruel treatment and mockery to be reserved for the Soviet prisoners of war not distributed to the ... ministers?

Were the Ministry of the Interior, the Reich Security Head Office, the Gestapo, the prisons and the concentration camps, not offices and organizations of the German Government?

The Government must fully bear the responsibility for the atrocities committed by those fascist governmental organizations.

The members of Hitler's government tried by every possible device to separate themselves from the SS men, but, being exposed, every one presented now versions - one more mendacious than the other.

Rosenberg, Neurath, Frick, Ribbentrop and other ministers, were

USSR-512

generals of the SS, and that this was no mere formality, can be seen from the letter of the defendant Ribbentrop to Himmler, dated 22 July 1940 and which was presented to the Tribunal by the Soviet prosecution.

The Minister Rosenberg was trying to make the Tribunal believe that he did not know anything about the bestial orders of the Minister Himmler.

Transcr.
m.-en.sess.
9.VIII.46

Actually it was Himmler who on 7 September 1943 directed on the Fuehrers of the SS and SD to carry out, jointly with the Military Command, the complete destruction of the areas in Ukraine, when he proposed that:

"not a human being, not a single head of cattle, not a hundredweight of cereals and not a railway line remain behind; that not a house remains standing, not a mine is available which is not destroyed for years to come, that there is not a well which is not poisoned," and recommended that special care be taken to inform the Reich Minister of the occupied territories in the East, Rosenberg, of this order.

H2745-0077

H2745 - 0078

On 8 March 1940, the Minister Goering sent to the "highest authorities of the Reich" a criminal directive concerning" the treatment of civilian workers of Polish nationality in the Reich".

2233-PS
USA-173
USSR-223

The Minister Frank, as he repeatedly mentioned in his diary, received instructions from Goering to send hundreds of thousands of Poles for slavery in Germany using any means.

The Ministers Speer, Sauckel, Rosenberg, Keitel, Funk, Seyss-Inquart and others have been exposed during the trial as having given directives and prepared measures for forced labor of prisoners of war and peaceful inhabitants of the territories seized by the Germans.

31-PS
USA-171

It was none other but Minister Rosenberg, who approved the measure of Army group "center", concerning the seizure on Soviet territory of 40-50 thousand children between the ages of 10 to 14 and their transfer to Germany. Do not these examples testify to the crimes committed by Hitler' Government?

It is established by documentary evidence that the carefully organized plunder of the territories seized by the Germans, was carried out in conformity with official directives and instructions of the Hitlerite Government and of it's individual members. The directive of Minister Goering concerning the planned plunder of the occupied Soviet territories (the so-called "Goering's Green File"), the activities of the looting "Einsatzstab" and "units of special purpose", the activities of the Ministers Rosenberg and Ribbentrop concerning the plunder of cultural treasures and monuments of art , as well as the activities of the Ministers Funk and Speer, is not all this sufficient to conclude about the participation of Hitler's Government in the plunder of the territories occupied by the Germans?

The Government of the German Reich is responsible, therefore, for the plunder of the public, private and communal property, and for the destruction and looting of cultural treasures in the occupied territories. In the USSR alone the material damages amount to 679 billion rubles.

The members of the Reich Government bear the responsibility for the forced germanization of areas seized by the Germans. It is the Reich ministers Goering, Frick, Hess and Lammers who have signed the decree incorporating into Germany the four western provinces of Poland.

Transcr. aft.sess. 4.2.45 p.7

It was none other than Minister Frick who in his instruction to Gauleiter Rainer stated:

" ... Your principal task will be to include into the German Reich the entire new areas of Yugoslav Corinthia and Kraina ... Because without the setting up of a "German wall" any administrative building, as good as it may be, will sooner of later fall down... Your task, comrade Rainer, is to make this district entirely German ..."

USSR-449

So as to get a picture of this bandit Government it is sufficient for us to recall the agreement between the Ministers Ribbentrop and Himmler concerning the organization of the intelligence services abroad, the Himmler-Bormann agreement with Minister of Justice von Schirach on 18 September 1942 concerning special mass police measures for the extermination of Jews, Gypsies, Russians, Ukrainians, Poles and Czechs, who allegedly were anti-social elements; the letter of Ministe Lammers of 4 June 1944, addressed to Minister von Schirach regarding t non-prosecution of the authors of murders of shot down Allied airmen; the letter of Minister Keitel to the Minister of Foreign Affairs concerning treatment to be given to Allied airmen.

USSR-120
654-PS
USA-218

635-PS
730-PS
Transcr. aft.sess. 31.1.46 p.22 and 37

On 4 February 1938, Hitler formed a Secret Cabinet Council, indicating its purpose in these words: "I am establishing this Secret Council to advise me in questions of foreign policy."

H2745-0079

Hitler appointed Neurath chairman of this Secret Council and as members Ribbentrop, Goering, Hess, Goebbels, Lammers, Brauchitsch, Raeder and Keitel.

Reichsgesetzblatt 1938 Part.I.p.112
Ps. 2031
PS 177
USA 390
PS 2194
USA 36
PS 2018

On 21 May 1935 Hitler created the Council for the Defense of the Reich.

On 30 August 1939, Hitler reorganized the Council for the Defense of the Reich into the Council of Ministers for the Defense of the German Reich. He appointed Goering chairman of this Council and as members the Ministers Hess, Frick, Funk, Keitel and Lammers.

PS 3787
USA 782

On the meeting of 23 July 1939 the chairman of this council, Goering emphasized that "the Council for the Defense of the Reich is the deciding organization in the Reich on questions connected with the preparation of war", and that "the Council for the Defense of the Reich will convene in order to take all the more important decision."

It was not the defense, but the aggression, the preparation for aggressive wars which were the tasks of this Council. In the preparation of the war participated not only the members of the Council for the Defense of the Reich, but all other ministers as well.

At the meeting of this council of 23 July 1939, were present together with Goering, Funk, Frick, Himmler, Keitel and Lammers, the ministers Schwerin von Krossigk, Dorpmueller, and others.

At this meeting was discussed and planned not only the utilization in the war industry of prisoners of war and of the population of the occupied territories, but the utilization of internees and even the number of internees in war time were discussed as well.
In the minutes of this meeting it is stated:"the General Plenipotentiary for Economy (i.e.Funk) has to define the task which is to be executed by the prisoners of war as well as by the persons confined in prisons concentration camps, ets."

H2745 -0080

PS-3787
USA-782
p.7

According to information of the Reichsfuehrer SS, there will be a great number of people in the concentration camps during the war. According to preliminary date 20,000 prisoners will be employed in the concentration camp workshops.

PS 3787
USA 782
p.6

Subjects discussed at the meeting also included directions on the collaboration of the OKW and the General Plenipotentiary for Economy of 3 May 1939 concerning plans for the war economy; and the plans of total warfare. These were also special reports from the Chief of Section V, of the General Staff, Gerke, and from the Minister of Transport, Dorpmueller.

PS-3787
USA-782
p.13

Were all members of the Reich Government informed of these decisions?

Certainly, and it is clear even from the list of addresses to which the minutes of the meeting of the 23 June 1939 were sent. The minutes of the meeting of the Council for the Defense, of the Reich were sent to: Deputy Fuehrer, to the Chief of the Reich Chancellary, to the Chairman of the Secret Council of Ministers, to the Plenipotentiary for the Four-Year-Plan, and to the Ministers of Foreign affairs, Justice, Interior, Education, Economy, Church and Religion, Food and Agriculture, Labor, Finance, Communication, Postal service, Director of the Reichsbank, etc.

PS 3787
USA-782

The very fact that most of the members of the Reich Government are defendants in the present trial says a great deal about the nature of the organization here discussed.

I consider, therefore, that the responsibility of the German Hitlerite Government for the heaviest crimes here mentioned is fully proven and that the Reich Cabinet should therefore be declared a criminal organization.

H2745 - 0081

Your Honors!

In order to carry out their plotted crimes, the heads of the Fascist conspiracy created a system of criminal organizations which have been the subject of my statement here.

Those who had made its their aim to dominate the world and to exterminate whole nations, are now awaiting with trepidation the coming verdict of the court.

This verdict is not to reach only the defendants in the dock, the initiators of these sanguine Fascist "ideas", the main organizers of the crimes of Hitlerism.

Your verdict has to condemn the whole criminal system of German Fascism, the complicated and widely ramified network of party, government SS, military organizations which were the means of realizing these vile premeditations of the chief conspirators.

Mankind has already pronounced its verdict on German Fascism in the battlefields.

The fire of the greatest battles known to the history of mankind, fought by the heroic Red Army and the valiant armies of the Allied Forces has not only destroyed the hordes of the Hitlerites but it has determined the sublime and noble principles of international cooperation, morality of mankind, the humane rules of social community.

The Prosecution has fulfilled its duty towards the Supreme Tribunal towards the serene memory of the innocent victims, towards the conscience of the nations, as well as towards their own conscience.

May the Judgement of the Nations - severe but just - fall upon these Fascist henchmen.

H2745 - 0082

H-2745

Organizations - Closing Speech - USSR (English)

H2745 – 0083